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13	Roy B. Carlberg	Pender	Lawyer, Abstracter, Dairyman	Dakota, Thurston, Dixon
14	Dwight W. Burney	Hartington	Farmer and Feeder	Cedar, Knox
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20	C. Petrus Peterson	Lincoln	Lawyer	Lancaster
21	Ladd J. Hubka	Beatrice	Lawyer	Gage

MEMBERS (Concluded)

Dist.	Name	Address	Occupation	Counties
22	J E Conklin	Hubbell	Banker, Life Insurance, Real Estate	Thayer, Jefferson
23	John E. Mekota	Crete	Attorney	Fillmore, Saline
24	Fay Wood	Seward	Mortician	York, Seward
25	Lester H. Anderson	Aurora	Hotel Operator	Hamilton, Polk, Clay
26	Ed F. Lusienski	Columbus	Public Relations	Nance, Platte
27	Nell Krause	Albion	Housewife	Antelope, Boone
28	Dennis H. Cronin	O'Neill	Publisher	Holt, Boyd, Keya Paha, Rock
29	John F. Doyle	Greeley	Merchant	Wheeler, Greeley, Valley, Howard
30	Walter R. Raecke	Central City	Lawyer	Hall, Merrick
31	Fred A. Seaton	Hastings	Publisher	Kearney, Adams
32	Daniel Garber	Red Cloud	Farmer	Franklin, Nuckolls, Webster
33	Ed Hoyt	McCook	Farmer, Ranchman	Harlan, Furnas, Red Willow
34	Fred A. Mueller	Kearney	Automobile Dealer	Buffalo, Sherman
35	Harry F. Burnham	Ansley	Farmer and Ranchman	Custer, Loup, Garfield
36	Lloyd Kain	Lexington	Publisher	Dawson, Gosper, Phelps
37	Arthur Carmody	Trenton	Farmer, Realtor	Perkins, Chase, Hayes, Dundy, Hitchcock
38	Harry L. Pizer	North Platte	Railroad	Lincoln, Frontier
39	Carl P. Jeffords	Mullen	Rancher	Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan, Blaine
40	Don E. Hanna	Brownlee	Cattle Rancher	Cherry, Sheridan, Brown
41	William Hern	Chadron	Ranchman	Dawes, Box Butte, Sioux
42	James H. Anderson	Scottsbluff	Lawyer	Scotts Bluff
43	R. A. Babcock	Sidney	Banker	Banner,Kimball,Cheyenne,Morrill

APPORTIONMENT

Congressional Districts

First district consists of the counties of Richardson, Nemaha, Johnson, Pawnee, Gage, Lancaster, Saline, Jefferson, Thayer, Fillmore, Clay, Nuckolls, Webster, Adams, Kearney, Franklin, Phelps, Harlan, Furnas, Gosper, Frontier, Red Willow, Hitchcock, Hayes, Chase and Dundy.

Second district consists of the counties of Douglas, Sarpy, Cass, Otoe and Washington.

Third district consists of the counties of Burt, Thurston, Dakota, Dixon, Cuming, Dodge, Saunders, Seward, Butler, Colfax, Stanton, Wayne, Cedar, Knox, Pierce, Madison, Platte, Polk, York, Hamilton, Merrick, Nance, Boone and Antelope.

The fourth district consists of the counties of Boyd, Holt, Wheeler, Greeley, Howard, Hall, Buffalo, Sherman, Valley, Garfield, Keya Paha, Rock, Brown, Blaine, Loup, Custer, Dawson, Lincoln, Logan, Thomas, Cherry, Hooker, McPherson, Grant, Arthur, Keith, Perkins, Deuel, Garden, Sheridan, Dawes, Box Butte, Morrill, Cheyenne, Kimball, Banner, Scotts Bluff and Sioux.

Legislative Districts

District No. 1. The counties of Johnson, Pawnee, Richardson.

District No. 2. The counties of Otoe and Nemaha.

District No. 3. The counties of Sarpy and Cass.

District No. 4. Includes the following territory in the county of Douglas and the city of Omaha: All north of Bedford Avenue to Evans St. between 43rd, and 48th St.; all north of Evans St. between 44th St. and 48th St.; all north of Paxton St. between 44th St. and Florence Blvd.; all north of Ames Ave. between Florence Blvd. and the eastern corporate limits.

District No. 5. Includes the following territory in the county of Douglas and the city of Omaha: All north from Blondo Street to Lake between 49th and 50th Streets; north from Charles to Lake between 48th and 49th Streets; north from Charles to Bedford Ave. between 43rd and 48th Streets; north from Charles to Evans between 36th and 43rd Sts.; north from Evans to Paxton between 36th and 44th Streets; north from Cuming to Paxton St. between 30th and 36th Streets; north from Indiana to Paxton between 24th and 30th Streets; north from Nicholas to Paxton between 24th St. and Florence Blvd.; north from Nicholas to Ames between 16th St. and Florence Blvd.; north of Charles to Ames between 16th St. and the eastern corporate limits; and east Omaha.

District No. 6. Includes the following territory in the county of Douglas and the city of Omaha: All north of Pacific to Leavenworth, between Park Ave. and 30th St.; north from Pacific to Farnam between 20th St. and Park Ave.; north from Farnam to Indiana, between 24th and 40th Streets; north from Pacific to Nicholas, between 20th and 24th Streets; north from Pierce to Nicholas, between 16th and 20th Streets; north from Hickory to Charles between 10th and 16th Streets; north from Pine to Charles, between 10th Street and the eastern corporate limits.

District No. 7. Includes the following territory in the county of Douglas and the city of Omaha: All north from Hickory St. to Woolworth Ave., between 29th St. and Park Ave.; north from Hickory to Poppleton Ave., between 28th and 29th Streets; north from Hickory to Pacific, between 25th Ave. and 28th St.; north from Center to Pacific, between 24th St. and 25th Ave.; north from Center to Pacific, between 20th and 24th Streets; north from Center to Pierce, between 16th and 20th Streets; north from Center to Hickory, beween 10th and 16th Streets; north from Center to Pine, between 10th Street and the eastern corporate limits; north from G to Center, between the Burlington RR east to the corporate limits; north from H to G, be-

tween the Burlington RR and 27th Street; all south of G, to the corporate limits, between 24th St. and its extension to the Burlington on U St., east to the corporate limits.

District No. 8. Includes the following territory in the county of Douglas and the city of Omaha: North from Woolworth Ave. to Pacific St., between 63rd and 66th Streets; north from Center to Pacific, between 60th and 63rd Sts.; north from Spring to Pacific, between 52nd and 60th Streets; north from F to Pacific, between 46th Ave. and 52nd St.; north from F to Pacific, between 42nd St. to 46th Ave.; north from F to Center, between 42nd St. and the Burlington RR; north from Center to Leavenworth, between 30th and 42nd Streets; north from Poppleton Ave., to Pacific St., between 28th and 30th Streets; north from Woolworth to Poppleton, between 29th and 30th Streets; north from Hickory to Woolworth, between Park Ave. and 30th St.; north from Center to Hickory, between 25th Ave. and 30th St.; north from H to F, between 42nd St. and the Burlington RR; north from H to G, between 24th and 27th Sts.; north from Madison to H, between 42nd and 24th and its extension to the RR; north from Harrison to Madison, between 45th St., and the Burlington RR.

District No. 9. Includes the following territory in the county of Douglas and the city of Omaha: North from Pacific to Howard, between the western corporate limits and 60th St.; north from Pacific to Dodge, between 56th and 60th Streets; north from Pacific to Charles, between the western corporate limits and 56th Ave.; north from Leavenworth to Charles, between 46th Ave. and 36th Street; north from Leavenworth to Cuming, between 30th and 36th Streets; north from Leavenworth to Farnam, between 30th and Park Ave.

District No. 10. Includes the following territory in the county of Douglas and the city of Omaha: North from Charles to Blondo, between western corporate limits and 49th St.; north from Blondo to Lake, between 66th St. and 50th Streets; all north of Lake between 72nd St. and 48th St.; and all of the rural precincts.

District No. 11. Includes Dodge and Washington.

District No. 12. Includes Cuming and Burt.

District No. 13. Includes Dakota, Thurston and Dixon.

District No. 14. Includes Cedar and Knox.

District No. 15. Includes Pierce and Madison.

District No. 16. Includes Stanton, Wayne and Colfax.

District No. 17. Includes Butler and Saunders.

District No. 18. Includes the following territory in the county of Lancaster and the city of Lincoln: All north of Potter between 22nd and 29th; all north of Vine between 29th and 58th; all north of R between 58th and 63rd; all east of 63rd within the corporate limits of the city of Lincoln; all of the country precincts of Lancaster county except Garfield.

District No. 19. Includes the following territory in the county of Lancaster and the city of Lincoln: Territory west of 29th between Potter and Vine to 22nd; west of 28th between Vine and O to 22nd; west of 27th between O and Randolph to 22nd; west of 22nd and north of Randolph and extension thereof on G to 14th, and west of 17th, between G and D to 14th, all west of 14th, and north of A to corporate limits, and Garfield precinct of Lancaster county.

District No. 20. Includes the following territory in the county of Lancaster and the city of Lincoln: All west of 14th, and south of A to corporate limits, all south of D between 14th and 17th, all south of G and its extension on Randolph between 17th and 22nd, all south of Randolph between 22nd and 27th, all south of Vine between 28th and 33rd to O, all east of 33rd between Vine and O, all east of 27th between O and Randolph, all south of Randolph and east of 27th to corporate limits.

District No. 21. The county of Gage.

District No. 22. The counties of Thayer and Jefferson.

District No. 23. The counties of Fillmore and Saline.

District No. 24. The counties of York and Seward.

District No. 25. The counties of Hamilton, Polk and Clay.

District No. 26. The counties of Nance and Platte.

District No. 27. The counties of Antelope and Boone.

District No. 28. The counties of Holt, Boyd, Keya Paha and Rock.

District No. 29. The counties of Wheeler, Greeley, Valley and Howard.

District No. 30. The counties of Hall and Merrick.

District No. 31. The counties of Kearney and Adams.

District No. 32. The counties of Franklin, Webster and Nuckolls.

District No. 33. The counties of Harlan, Furnas and Red Willow.

District No. 34. The counties of Buffalo and Sherman.

District No. 35. The counties of Custer, Loup and Garfield.

District No. 36. The counties of Dawson, Gosper and Phelps.

District No. 37. The counties of Perkins, Chase, Hayes, Dundy and Hitchcock.

District No. 38. The counties of Lincoln and Frontier.

District No. 39. The counties of Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan and Blaine.

District No. 40. The counties of Cherry, Sheridan and Brown.

District No. 41. The counties of Dawes, Box Butte and Sioux.

District No. 42. The county of Scotts Bluff.

District No. 43. The counties of Banner, Kimball, Cheyenne and Morrill.

Judicial Districts

District No. 1 shall consist of the counties of Johnson, Pawnee, Nemaha and Richardson.

District No. 2 shall consist of the counties of Sarpy, Cass and Otoe.

District No. 3 shall consist of the county of Lancaster.

District No. 4 shall consist of the counties of Burt, Washington and Douglas.

District No. 5 shall consist of the counties of Hamilton, Polk, York, Butler, Seward and Saunders.

District No. 6 shall consist of the counties of Boone, Nance, Merrick, Platte, Colfax and Dodge.

District No. 7 shall consist of the counties of Fillmore, Saline, Thayer and Nuckolls.

District No. 8 shall consist of the counties of Thurston, Dakota, Dixon and Cedar.

District No. 9 shall consist of the counties of Knox, Antelope, Cuming, Pierce, Madison, Stanton and Wayne.

District No. 10 shall consist of the counties of Phelps, Kearney, Adams, Harlan, Franklin, Webster and Clay.

District No. 11 shall consist of the counties of Hall, Howard, Greeley, Valley, Wheeler, Garfield, Loup, Grant, Hooker, Thomas and Blaine.

District No. 12 shall consist of the counties of Custer, Sherman, Logan and Buffalo.

District No. 13 shall consist of the counties of McPherson, Lincoln, Deuel, Cheyenne, Kimball, Dawson, Keith, Banner and Arthur.

District No. 14 shall consist of the counties of Chase, Hayes, Frontier, Gosper, Furnas, Red Willow, Hitchcock, Perkins and Dundy.

District No. 15 shall consist of the counties of Brown, Keya Paha, Boyd, Rock and Holt.

District No. 16 shall consist of the counties of Cherry, Sheridan, Dawes, Box Butte and Sioux.

District No. 17 shall consist of the counties of Garden, Morrill and Scotts Bluff.

District No. 18 shall consist of the counties of Jefferson and Gage.

Provided, in the fourth district there shall be nine judges of the district court; in the third district there shall be four judges of the district court; in the fifth, sixth, ninth, tenth and eleventh districts there shall be two judges of the district court in each of said districts; in the thirteenth district there shall be two judges of the district court; in all other districts there shall be one judge of the district court in each of such other districts.

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RULES OF THE NEBRASKA LEGISLATURE

RULE 1

Authority

Constitution of Nebraska. Art. III, Sec. 10

Gregg's Handbook of Parliamentary Law. The rules of parliamentary practice comprised in Gregg's Handbook of Parliamentary Law, Rev. Ed. c 1940, shall govern the Legislature in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Legislature.

Amendment and suspension of rules. Rule 17.

RULE 2

Presiding Officer

Section 1. Presiding Officer: Lieutenant Governor, Speaker. The Lieutenant Governor shall preside as president of the Legislature, and the Speaker shall preside when the Lieutenant Governor shall be absent, incapacitated or shall act as Governor. (Const. Art. III, Sec. 10). All references herein made to the President shall be construed as meaning also the Speaker whenever he may preside.

Member of Reference Committee. Rule 14.

Sec. 2. Chairman of Judiciary Presides, When. In the absence of both the Lieutenant Governor and the Speaker, the chairman of the Judiciary Committee shall preside, and shall exercise all the powers herein conferred on the President, except the authority to sign bills or resolutions passed by the Legislature.

Sec. 3. Member Presides, When. The President shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment.

Sec. 4. President Calls Legislature to Order: Quorum. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the

last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum. Const. Art. III, Sec. 10.

Sec. 5. Absence of Quorum. If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

Sec. 6. President to Preserve Order. The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

Sec. 7. Point of Order, President Decides: Appeal. The President may speak to a point of order in preference to members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any member; on which appeal no member may speak more than once, unless by leave of the Legislature.

Sec. 8. Putting Question. The President shall rise to put a question, but he may state it sitting.

Sec. 9. President Shall Sign. The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature (Const. Art. III, Sec. 14). All writs, warrants and subpoenas issued by order of the Legislature shall be under his hand and seal, attested by the Clerk.

Sec. 10. Lieutenant Governor Votes, When. The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided. Const. Art. III, Sec. 10.

RULE 3

Officers Elected and Their Duties: Recall; Employees, Selection and Duties.

Sec. 1. Nomination and Election. At the commence-

ment of each regular session, the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Speaker.
Clerk of the Legislature.
Sergeant-at-arms.
Postmaster.
Chaplain.

Sec. 2. Officers, Vote Necessary to Elect. A majority vote of the elected members shall be required for the election of each such officer.

Sec. 3. Recall of Officers. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Oath of Officers. Each permanent officer shall take an oath to support the constitution of the United States, and the constitution of the State of Nebraska, and to discharge faithfully the duties of his office according to the best of his ability.

Sec. 5. Duties of Officers, General. In general the duties of the officers of the Legislature shall be those usual to such officers.

Sec. 6. Speaker. Duties. Rule 2.

Speaker is member of Reference Committee. Rule 14, Sec. 1.

Speaker is member of Legislative Council. Revised Statutes of Nebraska, 1943. Sec. 50-401.

Sec. 7. Clerk of the Legislature, Duties.

(a) The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature. Const. Art. III, Sec. 11.

Daily Journal. Rule 8.

(b) The Clerk of the Legislature shall have authority to select and employ suitable persons for all of the positions which may be determined upon as necessary by the Legislature, and shall have complete supervision and assignment of all employees, including the right to discharge any one or more of them. All employees shall be selected without ref-

erence to party affiliation and shall be chosen upon the basis of merit, the compensation to be fixed by the Legislature.

(c) The Clerk of the Legislature shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the elected members of the Legislature.

(d) The Clerk of the Legislature shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime, and to whom paid.

(e) The Clerk of the Legislature shall have general charge, except as may be provided by law or by rule, of such parts of the capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

Sec. 8. Assistant Clerk, Duties. The Assistant Clerk, appointed by the Clerk of the Legislature, and approved by the Legislature, shall, in the absence of the Clerk, be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

Sec. 9. Sergeant-at-arms, Duties. The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the legislative chamber.

Sec. 10. Assistant Sergeant-at-arms, Duties. The Assistant Sergeant-at-arms, appointed by the Clerk of the Legislature, and approved by the Legislature, shall assist the Sergeant-at-arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms.

Sec. 11. Postmaster, Duties. The Postmaster shall

superintend the post office kept in the capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

Sec. 12. Chaplain, Duties. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

RULE 4

Members: Attendance, Decorum and Debate

Sec. 1. Presence of Members Required. Every member shall be present within the legislative chamber during the sittings of the Legislature and shall attend the regular meetings of the standing committees of which he is a member, unless excused or necessarily prevented.

Sec. 2. Presence of Member May be Compelled. The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

Call of the Legislature. Rule 9, Sec. 8.

Sec. 3. Absence of Member May be Explained. Upon the completion of the roll call on the final passage of a bill, any member may explain the absence of any other member, and if requested in writing by the absent member to do so, may state how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

Sec. 4. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. Const. Art. III, Sec. 10.

Sec. 5. Decorum: Members May Speak Only When Recognized by President. When a member desires to speak

in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President." A member shall speak only when recognized and shall confine himself to the question before the Legislature.

Sec. 6. Decorum: Abusive Language and Interruptions Prohibited. No member shall speak to another who has the floor, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall rise to a question of privilege for the introduction of guests while a member is speaking. No member shall use profane or abusive language when speaking to or about another member.

Sec. 7. Decorum: During Final Reading. Members shall remain in their seats during the final reading of a bill and until the vote thereon has been announced, except when excused by the President.

Sec. 8. Transgression of Rules: Call to Order. If any member, in speaking or otherwise, transgress the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Call to Order: Words Excepted to Must be Indicated. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business shall have intervened.

Sec. 10. Debate; Limitations, Proponent May Close. No member shall speak more than twice upon any one question in debate during the same legislative day, without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

For right of proponent to close debate when previous question ordered, see Rule 10, Sec. 11.

Sec. 11. Explanation of Vote Permitted. A member shall be permitted to explain his vote on roll call upon any question, but such explanation shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

RULE 5

Committees

Sec. 1. Committee on Committees. At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large, who shall be chairman, and three from each congressional district to be nominated by the members residing therein.

Chairman is member of Reference Committee for bills and resolutions. Rule 14, Sec. 1.

Committee on Committees is reference committee on nominations by Governor. Rule 14, Sec. 2.

Sec. 2. Committee on Committees Shall Recommend Standing Committees, Designate Chairmen. The Committee on Committees, by a majority vote of all of its members, shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, one of whom shall be designated by the Committee on Committees as chairman thereof:

Agriculture, including conservation, fish and game, live stock and grazing.....	9 members
Appropriations, including finance, ways and means, and state institutions.....	11 members
Banking, Commerce and Insurance.....	9 members

Claims and Deficiencies	5 members
Education, including university and normal schools and libraries, and school lands and funds	9 members
Enrollment and Review, including arrangement, phraseology and correlation	1 member
Government, including state, county and municipal governments, elections and apportionment	9 members
Judiciary	9 members
Labor and Public Welfare, including social security and child labor	9 members
Public Health and Miscellaneous Subjects	5 members
Public Works	9 members
Revenue, including taxation, salaries, licenses and fees	9 members
Rules, including procedure and order of business	5 members

Sec. 3. Committee on Committees Shall Select Other Committees. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature.

Sec. 4. Committee on Committees Shall Arrange and Publish Schedules of Standing Committee Hearings. The Committee on Committees shall arrange and publish a schedule of regular standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the capitol near the legislative chamber.

Sec. 5. Enrollment and Review, Privileged Committee. The Chairman of Enrollment and Review shall be privileged, and shall be in order at any time in reporting bills which have been engrossed for final reading and passage. In the absence of the Chairman the Vice-Chairman of the Judiciary Committee shall assume the duties of the Chairman of Enrollment and Review. The bill drafting service shall have supervision of legal work performed for the Enrollment and Review Committee.

Sec. 6. Enrollment and Review; Authority to Make Corrections. The Chairman of Enrollment and Review shall have authority, without being required to include the same specifically in his reports and recommendations to the Legislature, in accord with accepted usage:

a. To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in general file, select file and specific amendments.

b. To underscore or remove underscoring, as the case requires, in standing committee reports and in general file, select file and specific amendments.

Chairman of Enrollment and Review to give preference to bills readvanced from general file after having been recommitted from select file. Rule 12, Sec. 8-d.

Sec. 7. Committee on Claims and Deficiencies; Filing, Limitation. No claim shall be considered by the Claims Committee unless filed within the first twenty legislative days of the session, unless otherwise ordered by the Legislature.

Sec. 8. Claims Previously Rejected. The Claims Committee shall not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions.

Sec. 9. Committee on Order and Arrangement: Members, Duties. The Committee on Order and Arrangement shall consist of the chairmen of the committees before whom regularly referred bills and resolutions have public hearings. It shall be the duty of this committee to report to the Legislature the order in which bills and resolutions shall be considered on general file. The order so reported shall become effective only upon approval by the Legislature.

Reference Committees:
For bills and resolutions. Rule 14, Sec. 1.
For nominations by Governor. Rule 14, Sec. 2.
For amendment of rules. Rule 17.

RULE 6

Committee Hearings and Reports, Officers

Sec. 1. Vice Chairmen. Each standing committee shall elect from its membership a vice chairman to serve in the absence of the chairman.

Chairmen designated by Committee on Committees. Rule 5, Sec. 2. Enrollment and Review Vice-Chairman is Vice-Chairman of Judiciary. Rule 5, Sec. 5.

Sec. 2. Committee Hearings, Time. Standing committees shall meet at 2:00 p. m., unless otherwise ordered by the Legislature.

Sec. 3. Committee Hearings, Notice. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five calendar days' notice, by publication in the Legislative Journal, of the date and time of said hearing.

Sec. 4. Committees May Combine and Correlate Bills, Adopt Amendments. Standing Committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.

Sec. 5. Record of Committee Proceedings. Each standing committee shall keep a record of its proceedings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto. The vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

Sec. 6. Committees Shall Report Promptly. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

Sec. 7. Legislature May Request Committee Report. The Legislature may, by vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for ten legislative days.

Sec. 8. Committee Reports Must Recommend Bills for General File or Indefinite Postponement: Majority Vote of Members at Regular Meeting Required. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall, by vote of a majority of its members, recommend (a) that the bill be placed on general file for the consideration of the Legislature, or (b) that the bill be indefinitely postponed. Such action shall be taken at regularly scheduled committee meetings only.

Sec. 9. Effect of Committee Report to Postpone Indefinitely. If the standing committee report on a bill be to postpone indefinitely, the bill shall stand indefinitely postponed: Provided, that such bill may be placed on general file by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report.

Sec. 10. Committee Reports, Statements and Amendments: Minority Report. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, and, if recommended to general file, a copy of all amendments recommended by the committee. Such statement shall give the committee's reason for so reporting, and the minority view, if such there be, shall also be given. Copies of such statements and amendments shall be furnished to the members.

RULE 7

Order of Business

Sec. 1. Hour of Meeting and Adjournment. The Legislature shall meet each legislative day at 9:00 a. m., and adjourn not later than 1:00 p. m., unless otherwise ordered by a majority vote of its members present and voting thereon.

Sec. 2. Order of Business. The order of business of the Legislature shall be as follows:

a. Prayer by the Chaplain.
b. Roll call.
c. Call for correction of the journal.
d. Petitions and memorials.
e. Notice of committee hearings.
f. Reports of standing committees.
g. Reports of select committees.
h. Resolutions.
i. Introduction of bills.
j. Bills on first reading by title.
k. Reference of bills to committees on a day subsequent to first reading.
l. Bills on final reading.
m. Special order of the day.
n. Consideration of bills on select file.
o. Consideration of bills on general file.
p. Unfinished business, including messages on the President's desk.
q. Miscellaneous business.

Sec. 3. Messages From the Governor, Preference. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

Sec. 4. Special Order of the Day, Effect of Adjournment. When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on general file.

Sec. 5. Unfinished Business, Effect of Adjournment. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have preference in the special order of the day.

Sec. 6. Legislative Days. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature, by a majority of the members present and voting thereon.

RULE 8

Daily Journal

Sec. 1. Journal Prepared by Clerk, Furnished to Members; Corrections. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

Sec. 2. Journal Entries. The Clerk shall enter in the daily journal messages of the Governor in full; titles of bills; every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

Constitutional amendments printed in journal. Const. Art. XVI, Sec. 1.

Sec. 3. Title, Parts of Bills Entered in Journal. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

Sec. 4. Amendments Offered, But Not Adopted, Not Entered: Exception. In the consideration of bills on general or select file, amendments offered but not adopted shall not be entered in the journal except where a record vote is demanded.

Sec. 5. Hour of Adjournment Entered. The hour at which the Legislature adjourns shall be entered in the daily journal.

Sec. 6. Additional Copies for Members. Additional copies of the daily journal, to be mailed at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

Sec. 7. Bound Journal, How Printed. The bound journal of the session shall be printed from the corrected daily journal.

Journal, cross references: (Next Page)

Yeas and nays entered in journal at request of any member. Const. Art. III, Sec. 11.

Yeas and nays on final passage of bill shall be published in the journal. Const. Art. III, Sec. 13.

Explanation of absence and statement of how absent member would have voted. Rule 4, Sec. 3.

Explanation of vote. Rule 4, Sec. 11.

Committee reports. Rule 6, Sec. 5.

Only totals of machine vote entered. Rule 9, Sec. 3.

Notice of Committee hearings must be published. Rule 6, Sec. 3.

RULE 9

Manner and Record of Voting

Sec. 1. Votes Taken Viva Voce: Form of Question. All votes shall be taken viva voce. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no' ".

Sec. 2. Yea and Nay Vote Required on Final Passage of Bill: Applies to Resolution, When. Upon the final passage of a bill, or of a resolution if the same require the same consideration as a bill, the vote shall be by yeas and nays, and this rule shall not be suspended.

Sec. 3. Machine Vote, When. If a machine vote is called for, or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the electric roll call system; and only the totals shall be printed in journal.

Sec. 4. Record Vote, Member May Demand. Any member may call for a record vote upon any question (Const. Art. III, Sec. 11), and upon declaration of the yeas and nays by the members, the record thereof shall be made and taken upon the electric roll call system, unless the Legislature by a majority vote decides that a roll call shall be taken.

Sec. 5. For Yeas and Nays and Call of House. Vote on Electric System: Limitation on Time to Vote. In taking the yeas and nays and upon call of the Legislature, the members shall register their vote upon the electric roll call system. When the yeas and nays are taken upon any question in the

manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

Sec. 6. When More Than Majority Vote Necessary, Electric System Used. In all instances where the vote, necessary to adopt a motion or other proposition, is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained by means of the electric roll call system. In such case, no member shall be permitted to vote after the yeas have been announced by the Clerk.

Sec. 7. Member May Demand Verification of Vote. Any member may demand verification of the vote on roll call: Provided, that on the final passage of bills verification shall always be made.

Sec. 8. Call of the Legislature. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the electric roll call system and shall remain in his seat during the call. The Clerk shall note the names of the absentees. Proceedings under the call may be suspended at any time by a majority vote of the members present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members present and voting thereon. When the Legislature has been under call for fifteen minutes, and if all absentees were to vote on one side of the question, and if their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Voting, cross references:

Lieutenant Governor votes only when Legislature equally divided. Rule 2, Sec. 10.

Explanation of vote. Rule 4, Sec. 11.

RULE 10

Motions and Their Precedence

Sec. 1. Statement of Motions. When a motion has been made and seconded, the presiding officer shall state it, or

being in writing, shall cause it to be read aloud by the Clerk before being debated.

Sec. 2. Motions Must be Written, When. Every motion shall be reduced to writing if the presiding officer or any member desires it.

Sec. 3. Withdrawal or Modification of Motions. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Sec. 4. Motions Received When Questions Under Debate: Precedence. When a question is under debate no motion shall be received but:

a. To adjourn.
b. To lay on the table.
c. For the previous question.
d. To postpone to a certain time.
e. To commit.
f. To amend.
g. To postpone indefinitely.

Such motions shall have precedence in the order in which they are arranged; except that motions to postpone indefinitely and amend do not yield to each other. No motion to postpone to a certain time, to commit or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Sec. 5. Motion to Strike Enacting Clause; Effect, Precedence. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, but shall not have precedence over a motion to postpone indefinitely, and, if carried, is equivalent to rejection of the bill.

Sec. 6. Motion to Adjourn, Adjourn to Time Certain, to Recess: Precedence. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

a. While a member is speaking.
b. When a motion to adjourn has just been defeated.
c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
d. After the final reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn; and provided further, that a motion to recess shall take precedence over either of such motions.

Sec. 7. Motion to Adjourn Pending Motion to Suspend Rules. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

Sec. 8. The Previous Question, Form. The previous question shall be in this form; "Shall the debate now close?"

Sec. 9. The Previous Question: Seconds Required: Vote Necessary: Effect. The previous question shall be in order when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 11 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

Sec. 10. Previous Question Undebatable. On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Sec. 11. Previous Question Ordered: Proponent to Close Debate. When the previous question shall have been ordered on a proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

Sec. 12. Previous Question Ordered: Call of Legislature

Not in Order, When. A call of the Legislature shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the presiding officer that a quorum is not present.

Sec. 13. Questions of Privilege, What Are. Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn.

Question of privilege is not in order for introduction of guests while member speaking. Rule 4, Sec. 6.

Sec. 14. Reconsideration, Who May Move. When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move a reconsideration thereof; and if the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 10, Sec. 3.

Sec. 15. Reconsideration, Precedence. Every motion to reconsider shall take precedence over all other questions, except a motion to adjourn.

Sec. 16. Reconsideration, Vote Necessary. For its adoption a motion to reconsider shall require the vote of a majority of the elected members, except where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a final reading, then a three-fifths vote shall be required for adoption.

Sec. 17. Amendments in Order. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

Sec. 18. Amendments, Prohibited: Annexing, Incorporating, Substituting Other Bills. No bill or resolution shall at any time be amended by annexing thereto, incorporating

therewith, or substituting therefor, any other bill or resolution before the Legislature.

Sec. 19. Amendment to Title of Bills. Amendments to the title shall not be in order during the consideration of a bill or resolution on general or select file until the bill or resolution shall have been considered in full.

Sec. 20. Amendment Laid on Table Does Not Carry Principal Measure. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

Sec. 21. Amendments, Preference in Consideration. When the Legislature is considering bills on either general or select file, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, and then to such other amendments as have been deposited with the Clerk, in the order in which they were received by him.

Sec. 22. Amendments, Must be Germane. No motion, proposition or subject, different from that under consideration, shall be admitted under color of amendment.

Sec. 23. Division of a Question, When. Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall not preclude an amendment or a motion to strike out or insert.

RULE 11

Bills—General Provisions

Sec. 1. Introduction, by Not More Than Three Members. Upon call for the introduction of bills, any member or standing committee may introduce one or more bills. No bill shall

be introduced bearing the names of more than three members, but the names of additional introducers may be added by consent of the Legislature.

Sec. 2. Introducer Must be Willing to Support. Members shall introduce only such bills as they are willing to endorse and support personally.

Sec. 3. Time for Introduction, Limitation. No bill shall be introduced after the twentieth legislative day, except upon recommendation of the Governor, or by a standing committee upon the vote of a majority of its members.

Sec. 4. Bills, How Designated. A bill shall be designated as Legislative Bill ———.

Sec. 5. Bill Must Contain Only One Subject: Amendment of laws. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contain the section or sections as amended, and the section or sections so amended shall be repealed. Const. Art. III, Sec. 14.

Sec. 6. Amendatory Bill, How Printed. An amendatory bill shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the statutes.

Sec. 7. Bills Must Be Engrossed Before Final Reading. All bills, before being advanced to final reading and passage, shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of members.

Sec. 8. Bills Must Receive Two Readings Before Passage. Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. Const. Art. III, Sec. 14.

Sec. 9. Vote Required to Expend Money or Change Compensation. It shall require the vote of a majority of

the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

RULE 12

Bills—Stages in Consideration

Sec. 1. Introduction and First Reading.

Introduction. Rule 11, Secs. 1, 2.
Time for introduction. Rule 11, Sec. 3.
First reading. Rule 11, Sec. 8.

Sec. 2. Reference to Standing or Select Committee.

Reference committee. Rule 14, Sec. 1.
Readings. Rule 11, Sec. 8.

Sec. 3. Consideration by Standing or Select Committee, Together With Desired Committee Hearings.

Committee hearings. Rule 6, Secs. 2-5.

Sec. 4. Report by Standing or Select Committee and Reference to General File.

Committee reports. Rule 6, Secs. 6-10.
Effect of committee report to postpone indefinitely. Rule 6, Sec. 9.

Sec. 5. General File: Reading, Consideration and General Debate by the Legislature.

a. Each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee, shall first be considered for adoption or rejection, after which other amendments may be offered.

Amendments. Rule 10, Secs. 17-22.

b. Bills shall be listed and considered on general file in the order in which they shall be reported from the standing committees, except as modified by the Committee on Order and Arrangement; and no change shall be made in such order, except by a majority vote of the elected members.

c. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on general file.

d. At any time during consideration of bills on either general or select file, any member may move that the bill be passed over, and if the motion is carried by a majority of those voting, the bill shall be passed over and shall retain its place on the file. This motion shall have the same precedence as to lay on the table.

Sec. 6. Reference to Enrollment and Review. Advancement to Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless indefinitely postponed or recommitted to a standing committee.

Sec. 7. Report by Chairman of Enrollment and Review and Reference to Select File.

Enrollment and review report. Rule 5, Sec. 6.

Sec. 8. Select File. Consideration a second time by the Legislature, in review on select file, wherein any of the following motions shall be in order:

a. A motion to approve or reject any or all of the changes recommended by the Chairman of Enrollment and Review.

b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered.

c. A motion to recommit to the proper standing committee.

d. A motion to recommit to the general file for one or more specific amendments. If such motion is adopted, the bill shall be transferred forthwith to the head of the general file, where consideration of the specific amendment shall be the first order of business on that file. After disposition of the specific amendment, the bill may be readvanced to Enrollment and Review for review, amended further, indefinitely postponed, or recommitted to the proper standing committee. If the bill is readvanced it shall be given prior consideration by the Chairman of Enrollment and Review and returned to the select file as soon as possible, and placed at the head of that file: Provided, if the bill is not amended,

indefinitely postponed, or recommitted, it may be advanced to Enrollment and Review for engrossment.

Effect of passing over bill. Rule 12, Sec. 5-d.

e. A motion to postpone indefinitely.

No bill shall be considered initially on select file until three legislative days after its advancement from general file to Enrollment and Review: Provided, that the amendments so recommended shall not be read by the Clerk except upon the request of a member of the Legislature.

Sec. 9. Advancement to Enrollment and Review for Engrossment, Unless Recommitted to a Standing Committee or Indefinitely Postponed.

Sec. 10. Report by Chairman of Enrollment and Review and Reference to Final Reading File, or to Select File for Specific Amendment.

Bills must be engrossed before advancement to final reading. Rule 11, Sec. 7.

Sec. 11. Conditions Precedent to Placing Bill on Final Reading. No bill shall be placed upon final reading and passage until:

a. Five legislative days after the initial reference to Enrollment and Review.

b. Two legislative days after its reference to final reading file.

c. Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day. Const. Art. III, Sec. 14.

Sec. 12. Final Reading. Consideration on final reading and passage when the bill shall be read at large with all amendments thereto before the vote is taken (Const. Art. III, Sec. 14): Provided, that at any time before the roll call shall have begun on final reading of the bill, it shall be in order to move:

a. To recommit the bill to Enrollment and Review to correct an error, and for re-engrossment.

b. To recommit the bill to the proper standing committee, with or without instructions.
c. To recommit the bill to select file for specific amendment, which amendment may be adopted by a vote of a majority of the elected members.

Members must be in their seats during final reading. Rule 4, Sec. 7.

Sec. 13. Question After Final Reading: Emergency Clause. The question after the final reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'" If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

Sec. 14. Emergency Clause: Failure to Receive Constitutional Majority; Effect; Question. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on final reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on final reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?" Const. Art. III, Sec. 27.

Sec. 15. Governor's Veto, Consideration. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be, "Shall the bill pass, notwithstanding the objection of the Governor?"

Three-fifths vote of the elected members required to pass bill over Governor's veto. Const. Art. IV, Sec. 15.

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills. Const. Art. IV, Sec. 15.

RULE 13

Petitions and Memorials

Sec. 1. Petitions, Memorials and Other Papers Referred to Committees. Every petition, memorial, or other paper shall be referred to the proper committee without putting a

question for that purpose, unless the reference be objected to by a mmber at the time such petition, memorial or other paper is presented, in which case the Legislature shall decide the question of reference.

Sec. 2. Introducer May Make Statement. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

RULE 14

Questions and Reference

Sec. 1. Reference Committee for Bills and Resolutions. Who Constitutes. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees.

Sec. 2. Nominations by Governor Referred to Committee on Committees. All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature, shall be referred to the Committee on Committees, and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

Sec. 3. Members May Object to Reference. Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature on any legislative day, immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

Sec. 4. Motions for Reference; Preference. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

Proposed amendments to rules referred to Rules Committee. Rule 17.

RULE 15

Resolutions

Sec. 1. Resolutions; How Designated. A resolution shall be designated as Legislative Resolution ———.

Sec. 2. Resolutions Proposing Constitutional Amendments, Granting Money, or Requiring Governor's Approval: Consideration and Adoption. Resolutions which propose amendments to the state constitution, propose the ratification of amendments to the federal constitution, provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor, shall be considered and adopted in the same manner as bills. Const. Art. III, Secs. 13, 14; Art. XVI, Sec. 1.

No resolution shall be introduced bearing the names of more than three members, but the names of additional introducers may be added by consent of the Legislature.

Sec. 3. Resolutions Laid Over One Legislative Day. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

Sec. 4. Resolutions; Reference to Committee; Vote Necessary for Adoption. When called for consideration on the next legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its consideration at that time. The vote of a majority of the elected members shall be required for the adoption of any such resolution.

RULE 16

Privileges of the Floor

No person shall be admitted to the floor of the Legislature except the following:

Members of the Legislature, officers and employees.

State officers, their deputies and clerks.

Judges of the Supreme Court.

Judges of the District Courts.

Senators and Representatives in Congress.

Reporters of regularly accredited newspapers and broadcasting stations.

And such other persons as the Legislature may deem proper to admit.

No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

RULE 17

Suspension and Amendment of Rules

These rules may be suspended by a two-thirds majority vote of the elected members, and may be amended by a three-fifths majority vote of the members elected: Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

LEGISLATIVE JOURNAL

FIFTY-NINTH (EXTRAORDINARY) SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, August 22, 1946

Pursuant to a proclamation by His Excellency, Dwight Griswold, Governor of the State of Nebraska, the fifty-ninth (extraordinary) session of the Legislature of Nebraska assembled in Legislative Hall of the capitol building at the hour of ten o'clock a. m. August 22, 1946, and was called to order by Lieutenant Governor Roy W. Johnson.

Prayer was offered by Reverend William P. Bancroft.

The roll was called and the following members were present:

Adams, Thomas H.
Anderson, James H.
Anderson, Lester H.
Babcock, R. A.
Brodahl, A. J.
Burney, Dwight W.
Burnham, Harry F.
Carlberg, Roy B.
Carmody, Arthur
Conklin, J E
Cronin, Dennis H.
Crossland, William A.
Cullingham, Sidney J.
Dooley, Tom
Doyle, John F.
Foster, Harry A.
Garber, Daniel
Hanna, Don E.
Heiliger, H. P.
Hern, William
Hoyt, Ed
Hubka, Ladd J.
Jeffords, Carl P.
Kain, Lloyd
Klaver, Sam
Krause, Nell
Lee, Earl J.
Lusienski, Ed F.
Mekota, John E.
Mueller, Fred A.
Norman, William J.
Ogden, Cliff N.
Peterson, C. Petrus
Pizer, Harry L.
Raasch, Ernest C.
Raecke, Walter R.
Reavis, Joseph C.
Ryan, James
Seaton, Fred A.
Sorrell, Frank
Tvrdik, Charles
Weborg, George C.
Wood, Fay

MESSAGE FROM THE GOVERNOR

August 16, 1946

Mr. Hugo Srb
Clerk of the Legislature
State Capitol
Lincoln, Nebraska

Dear Mr. Srb:

I hand you herewith a Proclamation providing for Extraordinary Session of the Legislature of the State of Nebraska to convene August 22, 1946 at 10 o'clock a. m.

Sincerely yours,
(Signed) Dwight Griswold

PROCLAMATION OF THE GOVERNOR

Executive Office, Lincoln, Nebraska

By virtue of the authority vested in the Governor by Section 8, Article IV, of the Constitution of Nebraska, I, Dwight Griswold, as Governor of the State of Nebraska, believing that an extraordinary occasion has arisen, do hereby call the Legislature of Nebraska to convene in extraordinary session at the State Capitol on Thursday, August 22, 1946, at 10 a. m., for the purpose of considering and, if deeming it advisable, enacting legislation relating to the following subjects:

1. To amend section 68-206, Revised Statutes, 1943, and section 68-404, Revised Statutes Supplement, 1945, to increase the maximum amount per month permitted to be paid to any person as old age or blind assistance, and to exclude medical, surgical and hospital care from the maximum amount authorized to be so paid.

2. To amend section 68-202, Revised Statutes Supplement, 1945, to re-define who are eligible to receive old age assistance funds.

3. To amend subsection (1) of section 49, Chapter 242, Session Laws of Nebraska, 1945, to provide changes in the authorized expenditure of funds appropriated and allocated to the Board of Control out of the Post War Construction Fund.

4. To appropriate to the Superintendent of Public Instruction for the remainder of the biennium ending June 30, 1947, (a) all funds received from the United States under the National School Lunch Act, and (b) a sufficient amount from the state general fund to cover costs of administration and disbursement of such funds so received.

5. To appropriate to the Superintendent of Public Instruction for the remainder of the biennium ending June 30, 1947, (a) all funds received from the United States under the Act of Congress providing for on-the-job training for veterans, and (b) a sufficient amount

from the state general fund to cover costs of administration arising in connection with compliance with such Act of Congress and other activities relating to veterans' education and training.

6. To amend section 79-2817, Revised Statutes of Nebraska, 1943, to remove the limitation of the maximum amount that junior colleges may charge for tuition fees.

7. To re-enact the Nebraska Merit System Act, with such amendments as may be desirable.

8. To amend section 32-505, Revised Statutes of Nebraska, 1943, to provide that where the surnames of candidates for the same office on the general election ballot are the same in spelling or sound, any such candidate may have his post-office address and occupation printed below his name on the ballot.

9. To submit to the electors an amendment to section 2, Article IV, of the Constitution of Nebraska.

10. To appropriate funds for the necessary expense of the extraordinary session herein called.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed this 16th day of August, 1946.

(Signed) Dwight Griswold
Governor of Nebraska

Attest:
(Signed) Frank Marsh
Secretary of State

The President declared the fifty-ninth (extraordinary) session of the Nebraska State Legislature duly convened and ready to transact business.

Rules of the Legislature

The President announced that without objection, the rules of the last regular session would govern the extraordinary session and all Standing Committees of the last session would continue during the present session.

MOTION—Committee on Credentials

Mr. President: I move that a committee of three be appointed on Credentials. (Signed) Sam Klaver

The motion prevailed and the President appointed the following members to serve on said committee:

Klaver, chairman; Wood, Brodahl

The committee withdrew and subsequently returned with the following:

REPORT—Committee on Credentials

Mr. President: Your Committee on Credentials hereby reports that the following named is entitled to a seat in this body:

Mrs. Nell Krause, 27 District, Antelope and Boone Counties

LETTER—Secretary of State

August 22, 1946

Mr. Hugo F. Srb
Clerk of the Legislature
Lincoln, Nebraska

Dear Mr. Srb:

We hand you herewith Certificate by the Secretary of State of the State of Nebraska, certifying as to the appointment of Nell Krause to fill the vacancy in the 27th Legislative District, in accordance with the provision of Chapter 32-1705 of the 1939 Cumulative Supplement to the Compiled Statutes of Nebraska, 1929.

Yours truly,
(Signed) Frank Marsh
Secretary of State

CERTIFICATE

State of Nebraska, Department of State

I, Frank Marsh, Secretary of State of the State of Nebraska do hereby certify that on August 22, 1946, Dwight Griswold, the duly elected, qualified and acting Governor of the State of Nebraska, transmitted to this office the appointment of Nell Krause as a Member of the Legislature for the 27th District, to fill a vacancy existing in the representation of said District, for the unexpired term, ending on January 7, 1947, and said appointment has been placed on file in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska. Done at Lincoln this 22nd day of August in the year of our Lord, one thousand nine hundred and forty-six.

(Signed) Frank Marsh
Seal Secretary of State

MOTION—Adopt Report

Mr. President: I move that the report of the Committee on Credentials be adopted. (Signed) Sam Klaver

The motion prevailed.

OFFICERS OF THE LEGISLATURE

I wish to report the appointment of Leonard T. Fleetwood as Assistant Clerk of the Legislature and Ray F. Miller as Assistant Sergeant-at-Arms. (Signed) Hugo F. Srb.

MOTION—Officers

Mr. President: I move that the appointment of Leonard T. Fleetwood as Assistant Clerk of the Legislature and Ray F. Miller as Assistant Sergeant-at-Arms be approved. (Signed) Wm. Hern

The motion prevailed.

MOTION—Committee to Escort Associate Justice

Mr. President: I move that the President appoint a committee of three to escort Associate Justice John W. Yeager to the Legislative Chamber for the purpose of giving the oath of office to the new member and officers. (Signed) John E. Mekota

The motion prevailed and the President appointed the following members to serve on said committee:

Mekota, Chairman; Tvrdik, Burnham.

The committee retired and subsequently returned escorting the Associate Justice.

MOTION—Escort the New Member

Mr. President: I move that the President appoint a committee of three to escort the new member to the rostrum. (Signed) Lloyd Kain.

The motion prevailed and the President appointed the following members to serve on said committee:

Kain, Chairman; Raasch, Sorrell.

The committee to escort the new member retired and subsequently returned escorting Mrs. Nell Krause.

The required oath of office was administered by Associate Justice John W. Yeager to the new member, who was then escorted to her seat in the legislative chamber.

The oath was administered to Assistant Clerk Leonard T. Fleetwood and Assistant Sergeant-at-Arms F. R. Miller.

MOTION—New Member, Committees

Mr. President: I move that the new member, Mrs. Nell Krause, be appointed on the committees served by her predecessor, Mr. Ed Schultz, and that, with this exception, the membership on all standing committees be the same as during the regular session. (Signed) James H. Anderson.

The motion prevailed.

Senator C. Petrus Peterson then welcomed Mrs. Krause as a new member of the Legislature and she responded with a greeting to the Legislature.

MOTION—Notify the Governor

Mr. President: I move that the President appoint a committee of five to notify Governor Dwight Griswold that the Legislature is now organized and ready to receive any communications. (Signed) Arthur Carmody.

The motion prevailed and the President appointed the following members to serve on said Committee:

Carmody, Chairman; Heiliger, Norman, Weborg, Mueller.

The committee retired and subsequently returned escorting Governor Dwight Griswold, who delivered the following:

MESSAGE TO THE LEGISLATURE

By Dwight Griswold, Governor of Nebraska,

Extraordinary Session, Thursday, August 22, 1946.

Mr. President, Mr. Speaker, Members of the Legislature:

Last week I issued a Proclamation calling an extraordinary session of the Legislature to meet Thursday, August 22, 1946, a copy of which you already have.

I decided to issue this Call for a Special Session because of a change in conditions which has occurred since you adjourned last May and which you could not possibly foresee. The increase in the cost of living created a condition so that our present Old Age Assistance Law does not properly provide the minimum care for many of the recipients. Likewise an increase in the cost of building has made it impossible to construct some of the state institutional buildings for which you provided funds without so lowering the standards that they would not be economical units.

On account of these changed conditions, I called this Extraordinary Session in order that you might be given the opportunity to increase the maximum amount paid for old age and blind assistance and also to provide you the opportunity to change the authorized expenditure of funds appropriated for buildings under the jurisdiction of the Board of Control. Other matters have also been added, perhaps not as important as these two but deserving of your attention.

I would like to recite a little history relative to old age assistance. Prior to my inauguration as Governor in January of 1941, the income of the Old Age Assistance fund had on several occasions been insufficient to pay the recipients the full amount which the department felt they needed. The income was increased, however, and during my first term as Governor recipients were consistently paid on a 100 per cent basis throughout the entire twelve months of the year.

When the Legislature met in 1943 the nation was at war and I remember a conference which was held at the Executive Mansion one evening which was called by eight or ten legislators who were interested in seeing old age assistance properly financed. It was felt then that because of the war and rationing, the sale of gasoline and the sale of liquor would both be radically reduced. It was the decision of the legislators attending that conference to present a bill increasing the head tax payment and also increasing the number of people who would be called upon to pay it. This was done in order to make up what was expected to be a deficiency in the income from gasoline tax and from liquor tax which went into the Assistance Fund.

In spite of the war, however, the income from both gasoline tax and liquor tax held up very well and with the added head tax the Assistance Fund in the biennium beginning July 1, 1943 was much larger than ever before in the history of Nebraska. The cost of living was increasing and per capita payments to recipients were consistently raised, although the number of recipients decreased, due to war-time employment.

The increase in the head tax was made in a bill which automatically expired on March 1, 1945 and when the 1945 Legislature met the nation was still at war. With no way to know just what might happen in the future relative to gasoline and liquor tax income, the 1945 Legislature, therefore, prior to March 1, 1945, reenacted the increased head tax law.

Before the 1945 Legislature adjourned, however, the war had ended in Europe and it was becoming increasingly apparent that the war in Japan might end soon. Your Appropriations Committee toward the close of the 1945 Session discovered that there was an unexpended balance in the Assistance Fund of more than two and one-half million dollars. With the war in Europe over and the one in Japan coming to an end,

the Appropriations Committee, therefore, recommended that there be reappropriated to the Assistance Fund $1,230,844.09 of this unexpended balance, feeling that that reappropriation would more than amply take care of all assistance grants during the biennium beginning July 1, 1945.

The Legislature approved that plan, permitting $1,137,257.57 to lapse into the General Fund and thus reduce property taxes. Many have said that the money should not have been thus lapsed into the General Fund, stating that if anything were to be done, it should go back to the people who paid it. That plan, of course, was not in any way practicable as it would have been an impossibility to remit back, partly to the people who pay liquor tax, partly to people who pay gasoline tax and partly to those who pay head tax. The head tax could have been put back on the old basis but that would not have been of any benefit to those receiving assistance.

Your decision in 1945 has been justified by future events. On August 1, 1946 there was an unexpended balance in the Assistance Fund of $2,449,169.45. This means that in the period from July 1, 1945 to August 1, 1946 the income in that fund was more than one million two hundred thousand dollars greater than the expenditures. The fund today is more than amply financed and the increase in the assistance grants which I am suggesting that you now enact can be taken care of without any increase in taxation. Budgets are also being revised upward to take care of the increased cost of living but even in spite of all these increases there is no question but that when this Legislature meets next winter they will find a large unexpended balance in the Assistance Fund.

The particular reason for the calling of this Extraordinary Session arose when Congress, just prior to their recent adjournment, enacted an amendment to the Social Security Act which increases the amount which the federal government will pay to old age and blind assistance clients. Beginning October 1 the federal government will pay a maximum of $25.00 to each client, whereas the limit at the present time is $20.00 per client. As of today the State of Nebraska is fully matching federal aid but the state law limits individual payments to $40.00 no matter how much the federal government is willing to furnish. Due to the increase in the cost of living I do not feel that the $40.00 payment is sufficient to meet the intent of this law and I called this session of the Legislature so that you may increase it. During the time I have been Governor you have increased the maximum payment to old age assistance and blind clients from $30.00 to $40.00. It now appears necessary to increase it further.

Reciting a little more history, I would like to point out that in 1940 the average payment in Nebraska was $17.79, while the national average was approximately $20.00, this state being about $2.20 below the

national average. For the month of May, 1946, the last for which figures are available, the national average was $31.99, while the average in Nebraska was $32.22, our state thus being above the national average. This would seem to prove that you legislators who served during the past three sessions have attempted to be fair in this matter.

There is much misunderstanding relative to the Assistance Law and many suggest that payments be upon a flat or uniform basis. This is not provided for in either the federal law or the state law. Instead both of them place the payments upon a "need" basis. This means that if there is any outside income it shall be deducted from the payment the state makes. Increases in the cost of living should be provided for, however, and I feel it necessary that during this period especially, budgets be revised often and I likewise think it necessary that the maximum payment be increased. You have the opportunity to take care of the matter at this time.

In paragraph 2 of my Call you are authorized to amend Section 68-202 to redefine eligibility to receive old age assistance funds. This is suggested because of a request that people in county and municipal hospitals should be made eligible, whereas they are not so at the present time.

Paragraph 3 permits amending that part of the Appropriation Bill which provided funds for the construction of buildings under the jurisdiction of the Board of Control.

The situation surrounding our insane hospitals is especially bad. Hundreds of people who have been committed are still on the waiting list and being held in jails and in private homes, whereas the State should be caring for them. It is hoped that you will so change the allotments for these buildings that we can immediately get started on the necessary building program. The Board of Control would also like to put into effect a shorter work week for its employees in state institutions and if you will permit $100,000 of this building appropriation to be spent for repairs and alterations on present existing buildings, the Board feels that its appropriation for maintenance will be sufficient to put into effect this program. I believe it should be done.

Paragraph 4 places before you the possible appropriation of sufficient funds to cover cost of administering the National School Lunch Act. This has been requested by many people and deserves your attention.

Paragraph 5 permits the appropriation of funds to the Superintendent of Public Instruction for the administration of the federal act providing for on-the-job training for veterans. I feel that the State Superintendent and his staff have done a very good job in getting this pro-

gram underway, in spite of financial handicaps. Their funds are very limited, however, and I believe we should protect the interests of the veterans by providing the money necessary to properly administer this act.

Paragraph 6 provides for an amendment to Section 79-2817, which places a limitation on tuition which may be charged by junior colleges. In 1945 you increased the high school tuition but at that time it was not suggested that junior colleges be given similar treatment. These junior colleges are now receiving many registrations from returning veterans and their tuition will be paid by the federal government under the G. I. Bill of Rights. The junior colleges feel, however, that the limit should be removed or at least materially increased. By making this change now, it can be made to apply to the coming school year.

Paragraph 7 permits the reenactment of the Nebraska Merit System Act. This act you will remember was passed by you in 1945. Upon final passage it received 27 votes and its constitutionality has been attacked because it did not receive 29 votes, the majority required to create a new department of state government. The Supreme Court may uphold the act as already passed but if you will reenact this with 29 votes it will save the expense of a lawsuit and will permit more permanent planning. I believe that this act has served a very fine purpose and my experience as Governor convinces me that it will be a godsend to the man who will be inaugurated as Governor next January, relieving him of a great deal of pressure for positions which should properly be filled upon a merit basis. The Nebraska Merit System Act is in my judgment a very fine one. It permits executives to discharge employees at any time, thus making for cooperation and loyalty within each department. By filling the stenographic and clerical positions upon a merit basis, however, the executives are saved a great deal of trouble.

Paragraph 8 permits the enactment of a statute providing the same privilege in a fall election as is now provided in a primary when the surnames of candidates for the office are similar. It appears to be only fair that this change should be made.

Paragraph 9 suggests an amendment to the Constitution of the State of Nebraska which in a recent case was construed by our Supreme Court to mean that holders of executive state offices are not eligible for any other executive state office during the term for which they are appointed or elected. I feel that any governor who desires to give the state a good administration should be permitted to change executive officers around, placing them in positions where he feels they will best fit. He should also be permitted to promote executive officers to positions of greater responsibility. Under the Constitution as it now stands, such action is not permitted and it appears that I made illegal appoint-

ments several years ago when I named Ralph L. Cox, then Director of Agriculture and Inspection, to the Board of Control, when I likewise named O. M. Olsen, Labor Commissioner, to be a judge of the Workmen's Compensation Court, and when I named Lloyd D. Mengel, State Sheriff, to be State Fire Marshal. This same provision in the Constitution means that R. L. Cochran was really not eligible to be elected Governor in 1934 when he was first chosen to that position. I do not see that this provision in the Constitution serves any useful purpose and I recommend that you submit the matter to the voters at the November election.

The last item in my Call permits the appropriation of funds for the necessary expense of the Extraordinary Session of the Legislature.

I assure you I will be happy to cooperate with you during the time you are in session. I do not believe there is any necessity for a long session but I do feel that you have the opportunity to do some very fine and constructive work on behalf of the people of Nebraska.

Respectfully submitted,
(Signed) Dwight Griswold
Governor

The committee escorted the Governor from the legislative chamber.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 1. By C. Petrus Peterson of Lancaster

A bill for an act to amend sections 68-206, Revised Statutes of Nebraska, 1943, and 68-404, Revised Statutes Supplement, 1945, relating to public assistance; to increase the maximum amount that may be paid per month to any person as old age assistance and as blind assistance; to provide that medical, surgical and hospital care shall be excluded in determining the maximum amount per month thus paid; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 2. By Charles F. Tvrdik of Douglas and Earl J. Lee of Dodge

A bill for an act to amend section 68-202, Revised Statutes Supplement, 1945, relating to public assistance; to re-define who are eligible to receive old age assistance; to authorize the payment out of old age assistance funds of hospital care of recipients of old age

assistance confined in hospitals operated and maintained by any county or municipality within this state; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 3. By C. Petrus Peterson of Lancaster

A bill for an act to amend subsection (1) of section 49, Chapter 242, Session Laws of Nebraska, 1945; to provide for expenditure of the funds appropriated and allocated out of the Post War Construction Fund to the Board of Control upon such projects designated in this act as the Board of Control may find and determine can be constructed within the limits of the appropriation; to repeal the original subsection; and to declare an emergency.

LEGISLATIVE BILL 4. By C. Petrus Peterson of Lancaster

A bill for an act to appropriate to the Superintendent of Public Instruction for the remainder of the biennium ending June 30, 1947, all funds received from the United States under the National School Lunch Act and the sum of ten thousand dollars from the state general fund to cover costs of administration and disbursement of such funds so received; and to declare an emergency.

LEGISLATIVE BILL 5. By Walter R. Raecke of Merrick

A bill for an act to appropriate to the Superintendent of Public Instruction for the remainder of the biennium ending June 30, 1947, all funds received from the United States under Public Law 679 of the 79th Congress; to appropriate the sum of twenty-five thousand dollars from the state general fund to cover costs of administration arising in connection with compliance by the state with such Act of Congress and other activities relating to veterans' education and training; and to declare an emergency.

LEGISLATIVE BILL 6. By James H. Anderson of Scotts Bluff

A bill for an act to amend section 79-2817, Revised Statutes of Nebraska, 1943, relating to junior colleges; to remove the limitation of the maximum amount that may be charged for tuition fees; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 7. By John E. Mekota of Saline

A bill for an act relating to the public service; to create the Nebraska Merit System; to provide a council and director for its administration; to prescribe their duties, powers and compensation; to except certain agencies or divisions thereof from certain provisions

of this act; to amend sections 8-103, 48-157, 51-403, 53-108, 68-304, 81-107, 81-152, 81-827 and 83-126, Revised Statutes of Nebraska, 1943; to repeal the original sections and also Chapter 238, Session Laws of Nebraska, 1945; and to declare an emergency.

LEGISLATIVE BILL 8. By Cliff N. Ogden of Douglas

A bill for an act to amend section 32-505, Revised Statutes of Nebraska, 1943, relating to elections; to prescribe what names of candidates may appear on the general election ballot; to provide that where candidates for the same office have surnames that are the same in spelling or sound, any such candidate may have his post-office address and occupation placed on the general election ballot; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 9. By Joseph C. Reavis of Richardson

A bill for an act for submission to the electors of an amendment of Section 2, Article IV, of the Constitution of Nebraska, relating to the eligibility of executive officers to other state offices; to remove the restriction of ineligibility of state officers to other state offices mentioned in Article IV of the Constitution of Nebraska during the period for which they have been elected or appointed; to provide for submission of the proposed amendment to the electors at the general election in November, 1946; to provide for the manner of submission and form of ballot; to provide the effective date thereof; and to declare an emergency.

LEGISLATIVE BILL 10. By A. J. Brodahl of Saunders

A bill for an act to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Fifty-ninth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of ten thousand dollars therefor; and to declare an emergency.

MOTION—Rule Suspension, Reference

Mr. President: I move that the rules be suspended and the bills this day introduced be referred to standing committees. (Signed) C. Petrus Peterson

The motion prevailed with 43 ayes, 0 nays and 0 not voting.

Unanimous Consent

Mr. James H. Anderson asked unanimous consent that the name of Mr. J E Conklin be added to L. B. 6.

No objection, so ordered.

The legislature was at ease from 11:05 to 11:10.

Unanimous Consent

Mr. Sorrell asked unanimous consent that his name be added as co-introducer to L. B. 1 and 4.

No objection, so ordered.

BILLS REFERRED TO STANDING COMMITTEES

L.B.	Committee
1	Labor and Public Welfare
2	Labor and Public Welfare
3	Appropriations
4	Appropriations
5	Appropriations
6	Education
7	Government
8	Government
9	Government
10	Appropriations

MOTION—Rule Suspension, Committee Hearings

Mr. President: I move that the rules be suspended and that bills introduced today be heard in committees tomorrow at two o'clock p. m. (Signed) C. Petrus Peterson

Mr. President: I move that Mr. Peterson's motion be amended to read "hearings be had Monday at 2 p. m." rather than Friday at 2 p. m. (Signed) Sam Klaver

A record vote was requested by Mr. Klaver.

Mr. Klaver moved a Call of the House.

The roll was taken and showed all members present.

Mr. James H. Anderson made a motion that the Call be raised and the motion prevailed.

The vote on Mr. Klaver's amendment follows:

Voting in the affirmative, 18:

Anderson, L.	Crossland	Klaver	Sorrell
Babcock	Doyle	Krause	Tvrdik
Burney	Foster	Mekota	Weborg
Burnham	Garber	Norman	
Cronin	Jeffords	Pizer	

Voting in the negative, 21:

Anderson, J.	Dooley	Hubka	Raasch
Brodahl	Hanna	Kain	Raecke
Carlberg	Heiliger	Lee	Reavis
Carmody	Hern	Ogden	Seaton
Conklin	Hoyt	Peterson	Wood
Cullingham			

Not voting, 4:

Adams	Lusienski	Mueller	Ryan

Mr. Klaver's amendment to Mr. Peterson's motion was lost.

Mr. Peterson withdrew his motion.

MOTION—Committee Hearings

Mr. President: I move that the rules be suspended and that the hearing on L. B. 1 be set for tomorrow. (Signed) Daniel Garber

The motion prevailed with 33 ayes, 8 nays and 2 not voting.

MOTION—Committee Hearings

Mr. President: I move that the rules be suspended and that L. B. 2 be set for hearing Friday afternoon, August 23, 1946 at 2 p. m. (Signed) Earl J. Lee

Mr. President: I move that Senator Lee's motion be amended by including L. B. 3, 4, 5, 6, 7, 8, 9 and 10. (Signed) James H. Anderson

Mr. Anderson's amendment was adopted with 31 ayes, 10 nays and 2 not voting.

Mr. Lee's motion, as amended by Mr. Anderson was adopted with 32 ayes, 10 nays and 1 not voting.

MOTION—Supplies

Mr. President: I move that the Clerk be authorized to furnish supplies for the Legislature. (Signed) Fred A. Seaton

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 7 Friday, August 23, 1946 2:00 p.m.
L. B. 8 Friday, August 23, 1946 2:00 p.m.
L. B. 9 Friday, August 23, 1946 2:00 p.m.

Appropriations

L. B. 3 Friday, August 23, 1946 2:00 p.m.
L. B. 4 Friday, August 23, 1946 2:00 p.m.
L. B. 5 Friday, August 23, 1946 2:00 p.m.
L. B. 10 Friday, August 23, 1946 2:00 p.m.

Labor and Public Welfare

L. B. 1 Friday, August 23, 1946 2:00 p.m.
L. B. 2 Friday, August 23, 1946 2:00 p.m.

Education

L. B. 6 Friday, August 23, 1946 3:00 p.m.

MOTION—Supplies

Mr. President: I move that the Clerk furnish the new member, Mrs. Nell Krause, with the Statutes and Session Laws and other usual supplies. (Signed) C. Petrus Peterson

The motion prevailed.

Adjournment

Mr. President: I move that the rules be suspended and that we adjourn until 11 o'clock tomorrow morning. (Signed) Fred A. Mueller

The motion prevailed with 38 ayes, 0 nays and 5 not voting.

Hugo F. Srb
Clerk of the Legislature

SECOND DAY

Legislative Chamber, Lincoln, Nebraska

August 23, 1946

Pursuant to adjournment, the Legislature met at 11:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hubka, Reavis and Sorrell.

The Journal for the first day was approved as corrected.

Communications

Two letters from the Kearney Parent-Teacher Association, addressed to Mr. Mueller, regarding the school lunch program.

Letters urging support of the school lunch program, from the Omaha Council of Parent-Teacher Associations were sent to the following Senators: Sam Klaver, J E Conklin, James A. Ryan, Harry A. Foster and Charles F. Tvrdik.

MESSAGE FROM THE GOVERNOR

Appointments

August 23, 1946

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I desire to inform your honorable body that I have made the following appointments:

On May 10, 1945 I appointed Charles E. Jackman, Grand Island, as Judge of the Workmen's Compensation Court, for the term expiring June 30, 1951.

On May 10, 1945 I appointed Earl Moyer, Madison, as a member of the State Racing Commission, for the term expiring March 30, 1947.

On May 10, 1945 I appointed the following members of the Nebraska Aeronautics Commission: Donald D. Mapes, Norfolk, for the term expiring March 1, 1950; William W. Cook, Beatrice, for the term expiring March 1, 1949; Max Kier, Lincoln, for the term expiring March 1, 1948; Clyde Sharrar, Omaha, for the term expiring March 1, 1947 and Harold Jessen, Ainsworth, for the term expiring March 1, 1946. On April 1, 1946 I reappointed Harold Jessen for the term expiring March 1, 1951.

On May 21, 1945 I appointed Stanley Matzke, Seward, as Director of Insurance.

On June 6, 1945 I appointed Martin W. Dimery, Sidney, as a member of the Nebraska Real Estate Commission for the term expiring August 28, 1946. On August 28, 1946 I reappointed Martin W. Dimery for the term expiring August 28, 1950.

On July 1, 1945 I appointed Albert Arms, Dunning, as Judge of the Workmen's Compensation Court, for the term expiring June 30, 1947.

On November 16, 1945 I appointed I. V. Packard, Lincoln, as Director of Aeronautics, for a term not to exceed two years.

On February 2, 1946 I appointed Dr. W. S. Petty as Director of Health for the term expiring January 9, 1947.

On April 1, 1946 I appointed H. J. Schwab, Scottsbluff, as a member of the State Racing Commission for the term expiring March 30, 1949.

On July 1, 1946 I appointed Donald R. Hodder, Lincoln, as Director of Insurance for the term expiring January 9, 1947.

On July 22, 1946 I appointed Merle Kingsbury of Ponca as a member of the Nebraska Public Library Commission for the term expiring June 8, 1951.

On August 28, 1946 I appointed Irwin Adamson, Cody, as a member of the Nebraska Brand Committee for the term expiring August 28, 1950.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Committee on Committees

Mr. Charles F. Tvrdik announced a meeting of the Committee on Committees to consider the Governor's appointments, Tuesday morn-

ing, August 27, 1946, immediately after the adjournment of the Legislature.

Adjournment

At 11:30 a. m., Mr. Tvrdik made a motion to adjourn until 9 o'clock, a. m., Saturday, August 24, 1946.

The motion prevailed unanimously.

Hugo F. Srb
Clerk of the Legislature

THIRD DAY

Legislative Chamber, Lincoln, Nebraska

August 24, 1946

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Reavis and Messrs. Sorrell and Ryan and Mrs. Krause, who were excused for part of the session.

The Journal for the Second Day was approved.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 1. Placed on General File.
LEGISLATIVE BILL 2. Placed on General File.

Education

LEGISLATIVE BILL 6. Placed on General File.

Government

LEGISLATIVE BILL 8. Placed on General File.
LEGISLATIVE BILL 7. Placed on General File.
LEGISLATIVE BILL 9. Placed on General File.

GENERAL FILE

LEGISLATIVE BILLS 1 and 2. Passed over.

Mr. Tvrdik made a motion to take up L. B. 6, which prevailed with 28 ayes, 0 nays and 15 not voting.

LEGISLATIVE BILL 6. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 1. Read and considered.

Mr. Klaver offered the following amendment:

I move that Legislative Bill 1 be amended in the following particulars:

1. Amend page 2 of the bill by inserting a new section to be numbered 3, reading as follows:

"Sec. 3. *To aid and assist in carrying out the provisions of this act authorizing an increase in the amount of old age and blind assistance payments, there is hereby appropriated out of the money in the general fund, not otherwise appropriated, and ordered transferred to the state assistance fund, to be administered and disbursed by the Board of Control of State Institutions, the sum of $837,257.57.*"

2. Amend the title, line 9, by inserting after the punctuation following the word "paid" the following:

"to provide an appropriation;",

and renumber the sections accordingly.

Excused Members Return

Messrs. Sorrell and Ryan and Mrs. Krause returned.

Personal Privilege

Mr. Seaton rose to a question of personal privilege to introduce Mr. Dick Marvel, Hastings, Nebraska, the newly elected State Commander of the American Legion.

LEGISLATIVE BILL 1. (Cont.)

A record vote was requested on Mr. Klaver's amendment.

Voting in the affirmative, 16:

Adams	Foster	Hoyt	Mueller
Burnham	Garber	Klaver	Ryan
Carmody	Heiliger	Lusienski	Sorrell
Doyle	Hern	Mekota	Tvrdik

Voting in the negative, 26:

Anderson, J.	Cronin	Kain	Pizer
Anderson, L.	Crossland	Krause	Raasch
Babcock	Cullingham	Lee	Raecke
Brodahl	Dooley	Norman	Seaton
Burney	Hanna	Ogden	Weborg
Carlberg	Hubka	Peterson	Wood
Conklin	Jeffords		

Not voting, 1:

Reavis

Mr. Klaver's amendment was lost.

Mr. Burney offered the following amendment:

Amend Sec. 1 of L. B. 1, Page 2, lines 10 and 11, by striking the words "exclusive of medical, surgical and hospital care."

Amend Sec. 2, lines 18 and 19, by striking the words "exclusive of medical, surgical and hospital care",

And amend the title accordingly.

A record vote was requested on Mr. Burney's amendment.

Voting in the affirmative, 4:

Burney	Crossland	Jeffords	Lee

Voting in the negative, 35:

Adams	Dooley	Klaver	Raasch
Anderson, J.	Doyle	Krause	Raecke
Anderson, L.	Foster	Lusienski	Ryan
Babcock	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carmody	Heiliger	Norman	Tvrdik
Conklin	Hern	Ogden	Weborg
Cronin	Hoyt	Peterson	Wood
Cullingham	Kain	Pizer	

Not voting, 4:

Brodahl	Carlberg	Hubka	Reavis

Mr. Burney's amendment was lost.

Mr. Klaver offered the following amendment:

I move that Legislative Bill 1 be amended in the following particulars:

1. Amend page 2, section 1, line 11 of the bill by inserting after the word *"surgical"* the following: *", dental"*.

2. Amend page 2, section 2, line 18 of the bill by inserting after the word *"surgical"* the following: *", dental"*.

3. Amend the title, line 7, by inserting after the word *"surgical"* the following: *", dental"*.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 3. Placed on General File.
LEGISLATIVE BILL 4. Placed on General File.
LEGISLATIVE BILL 5. Placed on General File.
LEGISLATIVE BILL 10. Placed on General File.

RESOLUTION

LEGISLATIVE RESOLUTION 1. Re: Assistance, Recreational Purposes.

Introduced by John F. Doyle of Greeley.

WHEREAS, the Board of Control, in providing for the amount found to be necessary to meet the need for assistance of those entitled to old age and blind assistance, have not taken into consideration the necessity for funds for recreational purposes, and

WHEREAS, it is desirable that the Board of Control include funds for recreation to recipients in fixing the amount necessary for assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA:

1. That, subject to the limitation of the maximum amount per month that may be paid, the State of Nebraska shall, through the Board of Control, upon every old age and blind assistance grant, pay an additional $3.50 per month to meet the need for recreation in providing for the need for assistance of the recipients.

Recess

At 12:15 p. m., on motion by Mr. Hern, the Legislature recessed until 1:30 p. m.

After Recess

The Legislature reconvened at 1:30 p. m., President Johnson presiding.

The roll was called and all members were present, with the exception of Mr. Reavis.

GENERAL FILE

LEGISLATIVE BILL 1. (Cont.)

Mr. Klaver withdrew his amendment which was pending.

Referred to E and R for review.

LEGISLATIVE BILL 2. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 8. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 7.

Mr. Peterson asked unanimous consent to waive the reading of the bill.

No objection was offered and it was so ordered.

Mr. Mekota made a motion to advance to E and R for review.

Laid over temporarily.

LEGISLATIVE BILL 9. Read and considered.

Mr. Peterson made a motion to indefinitely postpone L. B. 9.

The motion prevailed.

LEGISLATIVE BILL 7. (Cont.)

A record vote was requested on Mr. Mekota's motion to advance.

Voting in the affirmative, 22:

Adams	Hern	Mekota	Raecke
Anderson, J.	Hoyt	Norman	Seaton
Brodahl	Hubka	Ogden	Sorrell
Conklin	Kain	Peterson	Tvrdik
Cullingham	Krause	Pizer	Wood
Heiliger	Lee		

Voting in the negative, 18:

Anderson, L.	Cronin	Hanna	Mueller
Burney	Crossland	Jeffords	Raasch
Burnham	Dooley	Klaver	Ryan
Carlberg	Doyle	Lusienski	Weborg
Carmody	Garber		

Not voting, 3:

Babcock	Foster	Reavis

The motion prevailed.

Mr. Jeffords made a motion to return L. B. 7 to General File.

A record vote was requested.

Voting in the affirmative, 17:

Anderson, L.	Cullingham	Garber	Mueller
Burney	Dooley	Hanna	Norman
Burnham	Doyle	Hern	Weborg
Carmody	Foster	Jeffords	Wood
Crossland			

Voting in the negative, 19:

Adams	Hoyt	Mekota	Raecke
Anderson, J.	Hubka	Ogden	Ryan
Brodahl	Kain	Peterson	Seaton
Conklin	Krause	Pizer	Tvrdik
Heiliger	Lusienski	Raasch	

Not voting, 7:

Babcock	Cronin	Lee	Sorrell
Carlberg	Klaver	Reavis	

Mr. Jeffords' motion to return L. B. 7 to General File did not prevail.

LEGISLATIVE BILL 3. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 4. Read and considered.

Mr. Hanna made a motion to indefinitely postpone L. B. 4.

After discussion, Mr. Carmody moved the previous question.

The President stated, "The question is, shall the debate cease?"

Mr. Carmody's motion prevailed, with 36 ayes, 1 nay and 6 not voting.

A record vote was requested on Mr. Hanna's motion.

Voting in the affirmative, 5:

Burney	Crossland	Garber	Hanna
Cronin			

Voting in the negative, 34:

Adams	Dooley	Krause	Raasch
Anderson, J.	Doyle	Lusienski	Raecke
Anderson, L.	Foster	Mekota	Ryan
Brodahl	Heiliger	Mueller	Seaton
Burnham	Hern	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Jeffords	Peterson	Weborg
Conklin	Kain	Pizer	Wood
Cullingham	Klaver		

Not voting, 4:

Babcock	Hubka	Lee	Reavis

Mr. Hanna's motion did not prevail.

Referred to E and R for review.

LEGISLATIVE BILL 5. Read and considered.

Mr. Raecke offered the following amendment, which was adopted.

I move to amend Legislative Bill 5 in the following particulars:

1. Amend page 2, section 2, lines 9 to 10, inclusive, by striking the same and inserting in lieu thereof:

"are incidental to cooperation with the Veterans' Administration of the United States in administration of on-the-job training of veterans, and education and training of veterans in educational or training institutions as defined in said Public Law 679."

2. Amend the title, lines 9 and 10, inclusive, by striking the same and inserting in lieu thereof the following:

"the state with such Act of Congress and such other activities as are incidental to cooperation with the Veterans' Administration of the United States in administration of on-the-job training of veterans, and education and training of veterans in educational or training institutions as defined in said Public Law 679."

Referred to E and R for review.

LEGISLATIVE BILL 10.

Mr. Brodahl asked unanimous consent to waive the reading of the bill.

No objection was offered and it was so ordered.

Referred to E and R for review.

Adjournment

A roll call was requested to see how many members would be present on Monday, August 26.

Twenty four members indicated they would be present, and the remainder were excused for the day.

At 5:05 p. m. Mr. Peterson made a motion to adjourn until 9:00 a. m., Monday, August 26, 1946.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

August 26, 1946

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and twenty-seven members were present, the others being excused for the session.

The Journal for the Third Day was approved as corrected.

The Legislature was at ease from 9:15 to 9:40 a.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 6. Placed on Select File.
LEGISLATIVE BILL 4. Placed on Select File.
LEGISLATIVE BILL 8. Placed on Select File.
LEGISLATIVE BILL 10. Placed on Select File.
LEGISLATIVE BILL 5. Placed on Select File with amendment.

E and R amendment to L. B. 5:

In general file amendment No. 2, 7th line, strike the period before the quotation marks and in lieu thereof insert a semicolon.

(Signed) Roy B. Carlberg, Chairman

Adjournment

At 10:00 a.m., Mr. Peterson moved that the Legislature adjourn until 9:00 a.m., Tuesday, August 27.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

August 27, 1946

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present with the exception of Messrs. Cullingham, Ryan, Sorrell and Wood, who were excused.

The Journal for the Fourth Day was approved.

COMMUNICATIONS

A petition addressed to the Legislature from Mr. B. S. Keck, regarding Old Age Assistance.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Placed on Select File.
LEGISLATIVE BILL 3. Placed on Select File.
LEGISLATIVE BILL 7. Placed on Select File as amended.

E and R amendments to L. B. 7:

1. In the bill, page 5, Section 11, Line 6, strike *"made"* before *"be"* and in lieu thereof insert *"may"*.

2. In the bill, page 6, Section 18, Line 2, strike the period after the word *"Act"* and insert a period after the last quotation mark in the same line.

LEGISLATIVE BILL 2. Placed on Select File.

(Signed) Roy B. Carlberg, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 1.

Mr. Kain raised the question as to whether the resolution was germane to the Call of the Governor.

The President ruled that the subject matter contained in the Resolution was germane, and within the Call.

The Resolution was laid over.

MOTION—Rule Suspension

Mr. President: I move that the rules be suspended and that we take up the bills on Select File. (Signed) C. Petrus Peterson

The motion prevailed with 36 ayes, 0 nays and 7 not voting.

SELECT FILE

LEGISLATIVE BILL 6. Advanced to E and R for engrossment.
LEGISLATIVE BILL 4. Advanced to E and R for engrossment.
LEGISLATIVE BILL 8. Advanced to E and R for engrossment.
LEGISLATIVE BILL 10.

Mr. Carlberg offered the following amendment, which was adopted by unanimous consent.

In the bill, page 2, section 2, lines 9, 10 and 11: strike "Standing Committee" in line 9 and all of line 10 and the balance of the word "committee" contained in line 11 and in lieu thereof insert "Clerk of the Legislature and when approved by him".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 5. E and R amendment, found in the Legislative Journal for the Fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 1. Advanced to E and R for engrossment.
LEGISLATIVE BILL 3. Advanced to E and R for engrossment.
LEGISLATIVE BILL 7. Laid over.
LEGISLATIVE BILL 2.

Mr. Lusienski and Mr. Peterson offered the following amendment:

Amend section 1, page 2, line 15 of the bill by inserting after the punctuation following the word "assistance" the following:

"Provided, however, where absence from the state is conclusively shown to have been caused by impaired health and for the purpose of seeking relief therefrom, the period of such absence shall not be excluded,".

Mr. James H. Anderson offered the following amendment to Mr. Peterson's and Mr. Lusienski's amendment, which was adopted by unanimous consent:

Insert after the word *"where"* and before the word *"absence"* the words *", prior to August 1, 1946,"*

Mr. Peterson's and Mr. Lusienski's amendment, as amended by Mr. Anderson, was adopted by unanimous consent.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 7. E and R amendments found in the Legislative Journal for the Fifth Day were adopted.

Mr. Jeffords made a motion to indefinitely postpone L. B. 7.

A record vote was requested.

Voting in the affirmative, 17:

Anderson, L.	Cronin	Garber	Lusienski
Burney	Crossland	Hanna	Mueller
Burnham	Dooley	Jeffords	Raasch
Carlberg	Doyle	Klaver	Weborg
Carmody			

Voting in the negative, 22:

Adams	Heiliger	Lee	Pizer
Anderson, J.	Hern	Mekota	Raecke
Babcock	Hoyt	Norman	Reavis
Brodahl	Hubka	Ogden	Seaton
Conklin	Kain	Peterson	Tvrdik
Foster	Krause		

Not voting, 4:

Cullingham	Ryan	Sorrell	Wood

Mr. Jeffords' motion did not prevail.

Advanced to E and R for engrossment.

Visitors

Mr. Pizer introduced former Speaker Robert Crosby and Mrs. Crosby of North Platte. Mr. Crosby came forward and addressed the Legislature briefly.

RESOLUTION

LEGISLATIVE RESOLUTION 1.

Mr. Doyle offered the following amendment, which was adopted with 28 ayes, 4 nays and 11 not voting.

Amend L. R. 1 by striking the last paragraph and inserting in lieu thereof the following:

"1. That, subject to the limitation of the maximum amount per month that may be paid, the State of Nebraska shall, through the Board of Control, upon every old age and blind assistance grant, include an amount to meet the need for recreation in providing for the need for assistance of the recipients."

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Correctly engrossed.
LEGISLATIVE BILL 2. Correctly engrossed.
LEGISLATIVE BILL 3. Correctly engrossed.
LEGISLATIVE BILL 6. Correctly engrossed.
LEGISLATIVE BILL 4. Correctly engrossed.
LEGISLATIVE BILL 8. Correctly engrossed.
LEGISLATIVE BILL 10. Correctly engrossed.
LEGISLATIVE BILL 5. Correctly engrossed.
LEGISLATIVE BILL 7. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

MOTION—Invite Chancellor of University

Mr. President: I move that the Legislature invite the new Chancellor of the University of Nebraska, Dr. Gustafson, to address the Legislature tomorrow at 10:30 a. m. (Signed) C. Petrus Peterson.

The motion prevailed.

The chairman announced a meeting of the Taxation Committee of the Legislative Council.

A meeting of the entire Legislative Council was announced for Wednesday afternoon, August 28.

The Committee on Committees met immediately following adjournment of the Legislature.

Member Excused

Mr. Tvrdik was excused for Wednesday, August 28, 1946.

Adjournment

At 11:10 a. m., Mr. Heiliger made a motion to adjourn until 9:00 a. m. Wednesday, August 28.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, August 28, 1946

Pursuant to adjournment, the Legislature met at 9:10 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cullingham, Hubka, Lee, Ryan and Tvrdik, who were excused.

The Journal for the Fifth Day was approved.

RESOLUTION

LEGISLATIVE RESOLUTION 1.

Mr. Doyle made a motion to adopt Resolution 1.

A record vote was requested.

Voting in the affirmative, 21:

Adams	Foster	Jeffords	Peterson
Anderson, L.	Garber	Klaver	Pizer
Burnham	Heiliger	Lusienski	Seaton
Conklin	Hern	Mueller	Sorrell
Cronin	Hoyt	Norman	Weborg
Doyle			

Voting in the negative, 10:

Anderson, J.	Burney	Kain	Raasch
Babcock	Carlberg	Ogden	Raecke
Brodahl	Crossland		

Not voting, 12:

Carmody	Hanna	Lee	Ryan
Cullingham	Hubka	Mekota	Tvrdik
Dooley	Krause	Reavis	Wood

The Resolution was adopted.

Report on Employees

The following is a list of employees hired for the 59th (Extraordinary) Session:

1.	L. T. Fleetwood	Asst. Clerk	da	$10.00
2.	J. W. Lundy	Sgt.-at-Arms	"	5.50
3.	F. R. Miller	Asst. Sgt.-at-Arms	"	5.00
4.	Martin L. Pederson	Postmaster	"	4.50
5.	Rev. Wm. P. Bancroft	Chaplain	"	4.50
6.	Grace Wilson	Engrossing Clerk	"	6.50
7.	Erma Goering	Docket Clerk Proof Reader	"	6.00
8.	Hollis Thurber	Bookkeeper	"	6.00
9.	Bruce Campbell	Stencils—Typist	"	6.00
10.	Donna Cleavenger	Secretary—Proof Reader	"	6.00
11.	Mrs. J. F. Henninger	Secretary	"	6.00
12.	Viola Schmidt	Secretary	"	6.00
13.	G. F. Martin	Chief Bill Room Clerk	"	6.50
14.	Gus Newman	Asst. Bill Room Clerk	"	5.00
15.	Orville Weakley	Asst. Custodian	"	4.50
16.	A. V. Kreps	Asst. Custodian	"	4.50
17.	Gertrude Tyler	Telephone Operator Proof Reader	"	4.50
18.	Harold L. Mack	Page	"	4.00
19.	Mrs. R. P. Fenton	Page	"	4.00
20.	Gretchen Bowers	Page	"	4.00
21.	Grace Leavitt	Proof Reader	hour	.75
22.	Clarence M. Davis	Legal Advisor	da	25.00
		and mileage		16.50

(Signed) Hugo F. Srb, Clerk

The Legislature was at ease from 9:30 to 10:00 a. m.

Speaker Peterson Presiding

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Charles E. Jackman	Judge, Workmen's Compensation Court
Earl Moyer	State Racing Commission
Donald D. Mapes	Nebraska Aeronautics Commission
William W. Cook	Nebraska Aeronautics Commission
Max Kier	Nebraska Aeronautics Commission
Clyde Sharrar	Nebraska Aeronautics Commission
Harold Jessen	Nebraska Aeronautics Commission
Martin W. Dimery	Nebraska Real Estate Commission

Albert Arms	Judge, Workmen's Compensation Court
I. V. Packard	Director of Aeronautics
Dr. W. S. Petty	Director of Health
H. J. Schwab	State Racing Commission
Donald R. Hodder	Director of Insurance
Merle Kingsbury	Nebraska Public Library Commission
Irwin Adamson	Nebraska Brand Committee
Stanley Matzke	Director of Insurance (Up to the time of his resignation)

(Signed) Tom Dooley, Vice Chairman

MOTION—To Adopt and Vote

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointments be confirmed by the Legislature, and that each appointment be voted on separately. (Signed) Tom Dooley

The motion prevailed.

Vote on Mr. Jackman

Affirmative, 32; negative, 0; not voting 11.
The President declared the appointment of Mr. Jackman confirmed.

Vote on Mr. Moyer

Affirmative, 33; negative, 0; not voting 10.
The President declared the appointment of Mr. Moyer confirmed.

Vote on Mr. Mapes

Affirmative, 33; negative, 0; not voting, 10.
The President declared the appointment of Mr. Mapes confirmed.

Vote on Mr. Cook

Affirmative, 33; negative, 0; not voting, 10.
The President declared the appointment of Mr. Cook confirmed.

Vote on Mr. Kier

Affirmative, 33; negative, 0; not voting, 10.
The President declared the appointment of Mr. Kier confirmed.

Vote on Mr. Sharrar

Affirmative, 33; negative, 0; not voting, 10.
The President declared the appointment of Mr. Sharrar confirmed.

Vote on Mr. Jessen

Affirmative, 32; negative, 0; not voting, 11.
The President declared the appointment of Mr. Jessen confirmed.

Vote on Mr. Dimery

Affirmative, 35; negative, 0; not voting, 8.
The President declared the appointment of Mr. Dimery confirmed.

Vote on Mr. Arms

Affirmative, 35; negative, 0; not voting, 8.
The President declared the appointment of Mr. Arms confirmed.

Vote on Mr. Packard

Affirmative, 34; negative, 0; not voting, 9.

The President declared the appointment of Mr. Packard confirmed.

Vote on Dr. Petty

Affirmative, 36; negative, 0; not voting, 7.

The President declared the appointment of Dr. Petty confirmed.

Vote on Mr. Schwab

Affirmative, 37; negative, 0; not voting, 6.

The President declared the appointment of Mr. Schwab confirmed.

Vote on Mr. Hodder

Affirmative, 37; negative, 0; not voting, 6.

The President declared the appointment of Mr. Hodder confirmed.

Vote on Mr. Kingsbury

Affirmative, 35; negative, 0; not voting, 8.

The President declared the appointment of Mr. Kingsbury confirmed.

Vote on Mr. Adamson

Affirmative, 37; negative, 0; not voting, 6.

The President declared the appointment of Mr. Adamson confirmed.

Vote on Mr. Matzke

Affirmative, 37; negative, 0; not voting, 6.

The President declared the appointment of Mr. Matzke confirmed.

The Legislature was at ease from 10:16 to 10:30 a. m.

Visitor

Speaker Peterson introduced Dr. R. G. Gustafson, the Chancellor of the University of Nebraska, who came forward and addressed the Legislature.

Member Excused

Senator Norman was excused for one hour on Thursday morning, August 29, 1946.

The Clerk was instructed to notify the absent members of the hour of the convening of the Legislature for the next day.

Adjournment

Mr. President: I move that the rules be suspended and that the Legislature adjourn until 8:00 a. m., Thursday, August 29. (Signed) Wm. Hern

The motion prevailed with 36 ayes, 0 nays and 7 not voting.

Hugo F. Srb
Clerk of the Legislature

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, August 29, 1946

Pursuant to adjournment, the Legislature met at 8:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cullingham and Norman, who were excused.

The Journal for the Sixth Day was approved.

ATTORNEY GENERAL'S OPINION

August 28, 1946

Hon. Charles F. Tvrdik
Chairman of Committee on Committees
Legislature of Nebraska
Capitol Building
Lincoln, Nebraska

Dear Senator Tvrdik:

In your letter of August 27th you request our opinion as follows:

> "The Committee on Committees of the Legislature would like your opinion as to whether or not confirmation of appointments of the Governor can properly be made at a Special Session without the same having been mentioned in the call.
>
> "In the list of appointments submitted to the Legislature, Mr. Stanley Matzke, as Director of the Department of Insurance, was included. Since Mr. Matzke resigned and the name of his successor was also included, is it proper to approve the appointment of Mr. Matzke up to the time of his resignation?
>
> "The Committee is withholding its report to the Legislature pending your opinion on the matter."

The answer to your question depends on the construction to be placed on certain provisions of our State Constitution.

Section 10, Article III of the Constitution provides that the Legislature "shall meet in regular session at 12:00 o'clock (noon) on the first Tuesday in January in the year next ensuing the election of the members thereof."

Section 8, Article IV, provides:

"The Governor may, on extraordinary occasions, convene the legislature by proclamation, stating therein the purpose for which they are convened, and the legislature shall enter upon no business except that for which they were called together."

Section 10, Article IV, provides:

"The governor shall nominate and by and with the advice and consent of the senate, (expressed by a majority of all senators elected, voting by yeas and nays,) appoint all officers whose offices are established by the constitution, or which may be created by law, and whose appointment, or election is not otherwise by law or herein provided for; and no such officer shall be appointed or elected by the legislature."

Section 11, Article IV, contains the following provisions:

"In case of a vacancy during the recess of the senate, in any office which is not elective, the governor shall make a temporary appointment *until the next meeting of the senate,* when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the senate, (a majority of all the senators elected concurring by voting yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified." (emphasis supplied)

Constitutional provisions should be construed so as to ascertain and give effect to the intent and purpose of the framers and the people who adopted it. 16 C. J. S. 51, Sec. 16. The general rules of statutory construction ordinarily apply to constitutions as well (16 C. J. S. 51, Sec. 15) and its provisions should be construed so as to harmonize, if possible.

Section 8, Article IV, of the Constitution provides "the legislature shall enter upon no business except that for which they were called together." An examination of the Governor's proclamation calling the present session of the Legislature fails to reveal any reference to confirmation of appointments of officers. Standing alone, the provision of Section 8, Article IV, above quoted, might well be construed to forbid the confirmation of interim appointments at special sessions of the Legislature unless such business is included in the call. However, such a construction would, in our opinion, conflict with the provision of Section 11, Article IV, of the Constitution above quoted that "the governor shall make a temporary appointment until the next meeting of the senate," etc.

It seems clear that the phrase "the next meeting of the senate" must be construed to refer to special as well as to regular sessions of the Legislature, and that it was the intention of the framers of the Constitution and of the people who adopted it that interim appointments by the Governor to fill vacancies should be presented to the next meeting of the senate, whether in regular or special session, without regard to whether or not such business was included in the Governor's proclamation calling the Legislature together. The object and purpose of the provision requiring confirmation by the senate is to provide a certain check and control over the Governor's power of appointment, and this object would be defeated rather than advanced by the view that the Governor, by omitting such business from the call, might delay the confirmation until the next regular session.

The courts have uniformly held that the confirmation by the senate of appointments made by the Governor is not a legislative act and may be made at a special as well as at a regular session of the Legislature, even though such business was not included in the call. See State, ex rel. Sikes v. Williams, 222 Mo. 268, 121 S. W. 64, 17 Ann. Cas. 1006; Advisory Opinion to the Governor, 64 Fla. 16, 59 So. 782; The People, ex rel. Knight v. Blanding, 63 Cal. 333; 42 Am. Jur. 964, Sec. 113.

While the wording of the constitutional provisions in the cases above cited was somewhat different from that of our Constitution, it is nevertheless our opinion that the word "business" as it occurs in Section 8, Article IV, refers to legislative business and does not include purely administrative acts such as confirmation of appointments by the Governor.

It is our opinion that confirmation of the appointments of the Governor can properly be made at a special session of the Legislature, even though such business was not mentioned in the Governor's proclamation calling the Legislature together.

Respectfully yours,

WALTER R. JOHNSON
Attorney General

(Signed) Homer L. Kyle
Assistant Attorney General

HLK: REZ

To Record Vote

Mr. President: Had I been present I would have voted for the Doyle Resolution. (Signed) James A. Ryan.

RESOLUTION

LEGISLATIVE RESOLUTION 2. Re: Liberality in assistance payments.

Introduced by Fred A. Mueller of Buffalo.

WHEREAS, the cost of living has increased greatly within the last two years; and

WHEREAS, in recognition of this fact, the Congress of the United States has made available to the states additional funds to pay assistance grants; and

WHEREAS, the principal reason for convening of this extraordinary session of the Legislature was to take advantage of the additional funds thus made available; and

WHEREAS, it is estimated that only twenty-nine per cent of the recipients of old age and blind assistance will receive benefit by reason of raising the maximum amount that may be paid to any such recipient per month; and

WHEREAS, all recipients of old age and blind assistance should receive some benefit from the additional funds made available; and

WHEREAS, it is reported by the Governor in his message to the Legislature that there is a balance of approximately two and one half million dollars in the assistance fund; and

WHEREAS, the problem of raising the amount paid to recipients of assistance is largely one of administrative action rather than legislative determination, but that this Legislature has the right to declare the policy that should be followed by state officers and employees in administering the assistance laws:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA:

1. That all old age and blind assistance grants should be reinvestigated and re-examined as soon as possible to ascertain the need for assistance, in view of the fact that there are ample funds available and that there has been a marked increase in the cost of rent, food, clothing, shelter, fuel and other factors required to be taken into consideration in determining the need for assistance.

2. That all old age assistance boards and case workers should be urged by the Board of Control to adopt a more lenient attitude in investigating and passing on applications for old age and blind assistance and determining the amount to be paid to recipients thereof.

Unanimous Consent

Mr. Mueller asked unanimous consent to consider L. R. 2 following Final Reading.

No objection was offered and it was so ordered.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and we proceed to vote on bills on final reading. (Signed) James H. Anderson

The motion prevailed with 39 ayes, 0 nays and 4 not voting.

Explanation of Vote

Mr. President: Had I been present, I would have voted for Resolution 1, and for the several appointments of the Governor. (Signed) Charles F. Tvrdik.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1. With emergency.

A bill for an act to amend sections 68-206, Revised Statutes of Nebraska, 1943, and 68-404, Revised Statutes Supplement, 1945, relating to public assistance; to increase the maximum amount that may be paid per month to any person as old age assistance and as blind assistance; to provide that medical, surgical and hospital care shall be excluded in determining the maximum amount per month thus paid; to repeal the original sections; and to declare an emergency.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Babcock	Foster	Krause	Reavis
Brodahl	Garber	Lee	Ryan
Burney	Hanna	Lusienski	Seaton
Burnham	Heiliger	Mekota	Sorrell
Carlberg	Hern	Mueller	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Cullingham	Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 1.

Sidney J. Cullingham William J. Norman

LEGISLATIVE BILL 2. With emergency.

A bill for an act to amend section 68-202, Revised Statutes Supplement, 1945, relating to public assistance; to re-define who are eligible to receive old age assistance; to authorize the payment out of old age assistance funds of hospital care of recipients of old age assistance confined in hospitals operated and maintained by any county or municipality within this state; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Babcock	Foster	Krause	Reavis
Brodahl	Garber	Lee	Ryan
Burney	Hanna	Lusienski	Seaton
Burnham	Heiliger	Mekota	Sorrell
Carlberg	Hern	Mueller	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Cullingham Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 2.

Sidney J. Cullingham William J. Norman

Speaker Peterson Presiding

LEGISLATIVE BILL 3. With emergency.

A bill for an act to amend subsection (1) of section 49, Chapter 242, Session Laws of Nebraska, 1945; to provide for expenditure of the funds appropriated and allocated out of the Post War Construction Fund to the Board of Control upon such projects designated in this act as the Board of Control may find and determine can be constructed within the limits of the appropriation; to repeal the original subsection; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Krause	Ryan
Burney	Garber	Lee	Seaton
Burnham	Hanna	Mekota	Tvrdik
Carlberg	Heiliger	Mueller	Weborg
Carmody	Hern	Ogden	Wood
Conklin	Hoyt	Peterson	

Voting in the negative, 1:
Lusienski

Not voting, 3:

Cullingham	Norman	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 3.

Sidney J. Cullingham William J. Norman

Explanation of Vote.

I realize the necessity of immediate construction of some buildings but the 'blank check' feature of L. B. 3 precludes my support because of a dangerous precedent for the future. (Signed) Ed. F. Lusienski

LEGISLATIVE BILL 6. With emergency.

A bill for an act to amend section 79-2817, Revised Statutes of Nebraska, 1943, relating to junior colleges; to remove the limitation of the

maximum amount that may be charged for tuition fees; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Babcock	Foster	Krause	Reavis
Brodahl	Garber	Lee	Ryan
Burney	Hanna	Lusienski	Seaton
Burnham	Heiliger	Mekota	Sorrell
Carlberg	Hern	Mueller	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood

Voting in the negative, 1:

Cronin

Not voting, 2:

Cullingham Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 6. (Signed) William J. Norman

LEGISLATIVE BILL 4. With emergency.

A bill for an act to appropriate to the Superintendent of Public Instruction for the remainder of the biennium ending June 30, 1947, all funds received from the United States under the National School Lunch Act and the sum of ten thousand dollars from the state general fund to cover costs of administration and disbursement of such funds so received; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 34:

Adams	Doyle	Lee	Raecke
Anderson, J.	Foster	Lusienski	Reavis
Babcock	Heiliger	Mekota	Ryan
Brodahl	Hern	Mueller	Seaton
Burnham	Hoyt	Ogden	Sorrell
Carlberg	Hubka	Peterson	Tvrdik
Carmody	Kain	Pizer	Weborg
Conklin	Klaver	Raasch	Wood
Dooley	Krause		

Voting in the negative, 7:

Anderson, L.	Cronin	Garber	Jeffords
Burney	Crossland	Hanna	

Not voting, 2:

Cullingham	Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 4.

Sidney J. Cullingham William J. Norman

LEGISLATIVE BILL 8. With emergency.

A bill for an act to amend section 32-505, Revised Statutes of Nebraska, 1943, relating to elections; to prescribe what names of candidates may appear on the general election ballot; to provide that where candidates for the same office have surnames that are the same in spelling or sound, any such candidate may have his post-office address and occupation placed on the general election ballot; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 31:

Adams	Doyle	Krause	Raasch
Anderson, J.	Foster	Lee	Raecke
Anderson, L.	Heiliger	Lusienski	Ryan
Babcock	Hern	Mekota	Seaton
Brodahl	Hoyt	Mueller	Sorrell
Burnham	Jeffords	Ogden	Tvrdik
Conklin	Kain	Peterson	Wood
Dooley	Klaver	Pizer	

Voting in the negative, 8:

Carlberg	Cronin	Hanna	Reavis
Carmody	Crossland	Hubka	Weborg

Not voting, 4:

Burney	Cullingham	Garber	Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 8.

Sidney J. Cullingham William J. Norman

LEGISLATIVE BILL 10. With emergency.

A bill for an act to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Fifty-ninth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of ten thousand dollars therefor; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 42:

Adams	Crossland	Kain	Pizer
Anderson, J.	Dooley	Klaver	Raasch
Anderson, L.	Doyle	Krause	Raecke
Babcock	Foster	Lee	Reavis
Brodahl	Garber	Lusienski	Ryan
Burney	Hanna	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hern	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Cronin	Jeffords		

Voting in the negative, 0.

Not voting, 1:

Cullingham

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present I would have voted "aye" on final reading of L. B. 10. (Signed) Sidney J. Cullingham

Member Excused

Mr. Sorrell was excused for the remainder of the Session.

MOTION—Return to Select File

Mr. President: I move that L. B. 7 be returned to E and R for a specific amendment: "Strike the enacting clause". (Signed) Carl P. Jeffords

The motion did not prevail, with 11 ayes, 26 nays and 6 not voting.

President Johnson Presiding

BILLS ON FINAL READING (Cont.)

LEGISLATIVE BILL 5. With emergency.

A bill for an act to appropriate to the Superintendent of Public Instruction for the remainder of the biennium ending June 30, 1947, all funds received from the United States under Public Law 679 of the 79th Congress; to appropriate the sum of twenty-five thousand dollars from the state general fund to cover costs of administration arising in connection with compliance by the state with such Act of Congress and such other activities as are incidental to cooperation with the Veterans' Administration of the United States in administration of on-the-job training of veterans, and education and training of veterans in educational or training institutions as defined in said Public Law 679; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been compiled with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Peterson
Anderson, J.	Dooley	Kain	Pizer
Anderson, L.	Doyle	Klaver	Raasch
Babcock	Foster	Krause	Raecke
Brodahl	Garber	Lee	Reavis
Burney	Hanna	Lusienski	Ryan
Burnham	Heiliger	Mekota	Seaton
Carlberg	Hern	Mueller	Tvrdik
Carmody	Hoyt	Norman	Weborg
Conklin	Hubka	Ogden	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:
Cullingham Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Mr. President: Had I been present I would have voted "aye" on L. B. 5 on Final Reading. (Signed) Sidney J. Cullingham

LEGISLATIVE BILL 7. With emergency.

A bill for an act relating to the public service; to create the Nebraska Merit System; to provide a council and director for its administration; to prescribe their duties, powers and compensation; to except certain agencies or divisions thereof from certain provisions of this act; to amend sections 8-103, 48-157, 51-403, 53-108, 68-304, 81-107, 81-152, 81-827 and 83-126, Revised Statutes of Nebraska, 1943; to repeal the original sections and also Chapter 238, Session Laws of Nebraska, 1945; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 22:

Adams	Heiliger	Lee	Raecke
Anderson, J.	Hern	Mekota	Reavis
Babcock	Hoyt	Ogden	Seaton
Brodahl	Hubka	Peterson	Tvrdik
Conklin	Kain	Pizer	Wood
Foster	Krause		

Voting in the negative, 15:

Anderson, L.	Cronin	Hanna	Raasch
Burney	Crossland	Jeffords	Ryan
Burnham	Dooley	Klaver	Weborg
Carmody	Garber	Mueller	

Not voting, 6:

Carlberg	Doyle	Norman	Sorrell
Cullingham	Lusienski		

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Whereupon the President stated: "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 0.

Voting in the negative, 30:

Anderson, L.	Foster	Klaver	Raecke
Babcock	Garber	Krause	Reavis
Burney	Hanna	Lee	Ryan
Burnham	Heiliger	Mekota	Seaton
Carmody	Hern	Ogden	Tvrdik
Cronin	Hoyt	Pizer	Weborg
Crossland	Jeffords	Raasch	Wood
Dooley	Kain		

Not voting, 13:

Adams	Conklin	Hubka	Norman
Anderson, J.	Cullingham	Lusienski	Peterson
Brodahl	Doyle	Mueller	Sorrell
Carlberg			

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

To Record Vote

Had I been present I would have voted "aye" on Final Reading on L. B. 7. (Signed) Sidney Cullingham

Personal Privilege

Mr. Burney introduced his son, Lt. Howard Keith Burney to the Legislature.

RESOLUTION

LEGISLATIVE RESOLUTION 2.

Mr. Mueller made a motion to adopt L. R. 2.

Mr. Peterson offered the following amendment to L. R. 2: "Strike paragraph 5".

Mr. Peterson's amendment was adopted with 22 ayes, 0 nays and 21 not voting.

A record vote was requested on L. R. 2.

Voting in the affirmative, 13:

Adams	Foster	Lusienski	Ryan
Anderson, L.	Heiliger	Mueller	Seaton
Burnham	Klaver	Pizer	Tvrdik
Doyle			

Voting in the negative, 16:

Anderson, J.	Carlberg	Krause	Raasch
Babcock	Cronin	Lee	Raecke
Brodahl	Crossland	Norman	Reavis
Burney	Kain	Ogden	Wood

Not voting, 14:

Carmody	Garber	Hubka	Peterson
Conklin	Hanna	Jeffords	Sorrell
Cullingham	Hern	Mekota	Weborg
Dooley	Hoyt		

The Resolution was not adopted.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Correctly enrolled.
LEGISLATIVE BILL 2. Correctly enrolled.
LEGISLATIVE BILL 3. Correctly enrolled.
LEGISLATIVE BILL 6. Correctly enrolled.
LEGISLATIVE BILL 4. Correctly enrolled.
LEGISLATIVE BILL 8. Correctly enrolled.
LEGISLATIVE BILL 5. Correctly enrolled.
LEGISLATIVE BILL 10. Correctly enrolled.

(Signed) Roy B. Carlberg

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 1	L. B. 6	L. B. 10
L. B. 2	L. B. 4	L. B. 5
L. B. 3	L. B. 8	

Legislative Resolution 1.

MOTION—Session Laws and Journals

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, to the Lieutenant Governor and to each authorized member of the Press, assigned to the Legislature of the Fifty-ninth (Extraordinary) Session, a copy of the permanent Legislative Journal of said session and a copy of the Sessions Laws passed thereat. (Signed) William Hern.

The motion prevailed.

MOTION—To Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to check the bills and otherwise complete the business of the office for the Fifty-ninth (Extraordinary) Session of the Legislature. (Signed) James A. Ryan

The motion prevailed.

MOTION—Approve Journal

Mr. President: I move that the Legislative Journal for the Seventh Day be approved as prepared by the Clerk. (Signed) George Weborg

The motion prevailed.

MOTION—Approve Appointment of Employees

Mr. President: I move that the appointment of the employees of the Legislature, as shown by the report submitted by the Clerk on August 28, 1946 at the salaries indicated, be approved. (Signed) A. J. Brodahl

The motion prevailed.

Note of Appreciation

To the members and officers of
the Legislature:

The courtesies and kindnesses of the members of the Legislature and its officers and employees during this short session are sincerely appreciated. (Signed) Clarence M. Davis, Legal Advisor

Visitor

Mr. James H. Anderson introduced to the Legislature Mr. A. T. Howard, Chairman of the Republican State Central Committee

Farewell by Members

The President offered an opportunity to those members not filing for re-election, or who are not planning to be back next session, to speak a few words of farewell. Response was made by Messrs. Brodahl, Cronin, Ogden, Crossland, Ryan, Mekota, Reavis, James H. Anderson and Mrs. Krause.

Speaker Peterson made a motion that the members of the Legislature give a standing vote of appreciation to President Johnson. President Johnson responded with a few words in farewell.

Visitor

Mr. Earl Lee introduced his son, Mr. Jack Lee, to the members of the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval August 29, 1946 at 11:05 a. m.

L. B. 1	L. B. 3	L. B. 5	L. B. 8
L. B. 2	L. B. 4	L. B. 6	L. B. 10

(Signed) Roy B. Carlberg, Chairman

MOTION—Notify the Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and ask him if he has any further message for the Legislature. (Signed) C. Petrus Peterson

The motion prevailed and the President appointed the following members to serve on said committee:

Peterson, Chairman; Crossland, Lusienski, Babcock, Krause.

Governor Griswold was escorted to the rostrum and addressed the Legislature.

Adjournment

Mr. President: The Fifty-ninth (Extraordinary) Session of the Legislature of Nebraska having finished all business before it, I move that it now adjourn sine die. (Signed) Daniel Garber

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE BILLS

Approved After Adjournment

The following Legislative Bills were approved by the Governor after adjournment:

August 30, 1946

Legislative Bill 1
Legislative Bill 2
Legislative Bill 3
Legislative Bill 4
Legislative Bill 5
Legislative Bill 6
Legislative Bill 8
Legislative Bill 10

REPORT ON SALARIES OF LEGISLATIVE EMPLOYEES

From August 19 to August 31, incl., 1946

Employee	Position	Rate of Pay	Total
L. T. Fleetwood	Asst. Clerk	$10.00 da	$ 70.00
J. W. Lundy	Sgt.-at-arms	5.50 da	38.50
F. R. Miller	Asst. Sgt-at-arms	5.00 da	35.00
Martin L. Pederson	Postmaster	5.00 da	35.00
Rev. Wm. P. Bancroft	Chaplain	4.50 da	31.50
Grace Wilson	Engrossing Clark	6.50 da	39.00
Erma Goering	(Docket Clerk	6.00 da	
	(Proof Reader	.75 hr	60.00
Hollis S. Thurber	Bookkeeper	6.00 da	48.00
Bruce Campbell	Stencils - Typist	6.00 da	42.00
Donna Cleavenger	(Secretary	6.00 da	
	(Proof Reader	.75 hr	72.00
Mrs. J. F. Henninger	Secretary	6.00 da	42.00
Viola Schmidt	Secretary	6.00 da	42.00
G. F. Martin	Chief Clk. Bill Room	6.50 da	48.75
Gus Neumann	Asst. Clk Bill Room	5.00 da	35.00
Orville Weakley	Asst. Custodian	4.50 da	54.00
A. V. Kreps	Asst. Custodian	4.50 da	45.00
Gertrude Tyler	(Telephone Operator	4.50 da	
	(Proof Reader	.75 hr	36.00
Harold L. Mack	Page	4.00 da	28.00
Mrs. R. P. Fenton	Page	4.00 da	28.00
Gretchen Bowers	Page	4.00 da	28.00
Grace Leavitt	Proof Reader	.75 hr	21.00
Clarence M. Davis	Atty. for E and R	25.00 da	
	and mileage	16.50	141.50
		TOTAL	$1,020.25*

*Deducted from this amount
on account of withholding tax.....$ 56.60

Hugo F. Srb,
Clerk of the Legislature

STANDING COMMITTEES OF THE LEGISLATURE

Fifty-ninth (Extraordinary) Session

Agriculture—Carmody, Chairman

Weborg	Burnham	Mekota
Hoyt	Hern	Krause
Burney	Jeffords	

Appropriations—Brodahl, Chairman

Garber	Dooley	Norman
Crossland	Heiliger	Raasch
Conklin	Mueller	Tvrdik
Cronin		

Banking, Commerce & Insurance—Lee, Chairman

L. Anderson	Hubka	Ryan
Babcock	Ogden	Sorrell
Doyle	Peterson	

Claims & Deficiencies—James H. Anderson, Chairman

Wood	Cullingham	Pizer
Babcock		

Committee on Committees—Tvrdik, Chairman

Dooley	Cullingham	Norman
Weborg	Hanna	Raecke
James H. Anderson	Jeffords	Reavis
Carmody	Mekota	Krause

Education—Ogden, Chairman

Burney	Hoyt	Sorrell
Kain	Krause	Weborg
Adams	Seaton	

Enrollment and Review—Carlberg, Chairman

Government—Sorrell, Chairman

Wood	Hanna	Krause
Hern	Ogden	Weborg
Burney	Peterson	

Intergovernmental Cooperation—Reavis, Chairman

James H. Anderson	Kain	Lee
Dooley		

Alternate:

Cronin	Ogden	Krause
Mekota	Raecke	

Judiciary—Mekota, Chairman

Hubka	Carmody	Raecke
Klaver	Doyle	Reavis
Carlberg	Lee	

Labor & Public Welfare—Hanna, Chairman

Peterson	Burnham	Lusienski
Hern	Foster	Ryan
L. Anderson	Jeffords	

Public Health & Miscellaneous Subjects—Jeffords, Chairman

Babcock	L. Anderson	Foster
Adams		

Public Works—Cullingham, Chairman

James H. Anderson	Kain	Ryan
Burnham	Lusienski	Seaton
Hoyt	Pizer	

Revenue (taxation)—Raecke, Chairman

Lusienski	Foster	Reavis
James H. Anderson	Hanna	Wood
Cullingham	Klaver	

Rules—Krause, Chairman

James H. Anderson	Lusienski	Reavis
Cullingham		

CHRONOLOGY OF BILLS

Fifty-ninth (Extraordinary) Session

LEGISLATIVE BILL 1 By Peterson

Aug. 22	Read first time	11
Aug. 22	Rule suspension, reference	13
Aug. 22	Unanimous consent—co-introducer	14
Aug. 22	Referred to Committee on Labor and Public Welfare	14
Aug. 22	Rule suspension, Committee hearing	14
Aug. 22	Notice of hearing	15
Aug. 24	Placed on General File	20
Aug. 24	Considered. Referred for review	21, 22, 23
Aug. 27	Placed on Select File	29
Aug. 27	Rule suspension. Referred for engrossment	30
Aug. 27	Correctly engrossed	32
Aug. 29	Rule suspension. Final reading	41
Aug. 29	To record votes	42
Aug. 29	Correctly enrolled. Signed by President	50
Aug. 29	Presented to Governor	52
Aug. 30	Approved by Governor	53

LEGISLATIVE BILL 2 By Tvrdik, Lee

Aug. 22	Read first time	11
Aug. 22	Rule suspension, reference	13
Aug. 22	Referred to Committee on Labor and Public Welfare	14
Aug. 22	Rule suspension, Committee hearing	14
Aug. 22	Notice of hearing	15
Aug. 24	Placed on General File	20
Aug. 24	Considered. Referred for review	24
Aug. 27	Placed on Select File	29
Aug. 27	Rule suspension	30
Aug. 27	Considered. Referred for engrossment	30
Aug. 27	Correctly engrossed	32
Aug. 29	Rule suspension. Final reading	41, 42
Aug. 29	To record votes	42
Aug. 29	Correctly enrolled. Signed by President	50

Aug. 29 Presented to Governor 52
Aug. 30 Approved by Governor 53

LEGISLATIVE BILL 3 By Peterson

Aug. 22 Read first time 12
Aug. 22 Rule suspension, reference 13
Aug. 22 Referred to Committee on Appropriations 14
Aug. 22 Rule suspension, Committee hearing 14
Aug. 22 Notice of hearing 15
Aug. 24 Placed on General File 23
Aug. 24 Considered. Referred for review 25
Aug. 27 Placed on Select File 29
Aug. 27 Rule suspension. Referred for engrossment 30
Aug. 27 Correctly engrossed 32
Aug. 29 Rule suspension. Final reading 41, 43
Aug. 29 To record votes 43
Aug. 29 Correctly enrolled. Signed by President 50
Aug. 29 Presented to Governor 52
Aug. 30 Approved by Governor 53

LEGISLATIVE BILL 4 By Peterson

Aug. 22 Read first time 12
Aug. 22 Rule suspension, reference 13
Aug. 22 Unanimous consent—co-introducer 14
Aug. 22 Referred to Committee on Appropriations 14
Aug. 22 Rule suspension, Committee hearing 14
Aug. 22 Notice of hearing 15
Aug. 24 Placed on General File 23
Aug. 24 Considered. Referred for review 25
Aug. 26 Placed on Select File 28
Aug. 27 Rule suspension. Referred for engrossment 30
Aug. 27 Correctly engrossed 32
Aug. 29 Rule suspension. Final reading 41, 44
Aug. 29 To record votes 45
Aug. 29 Correctly enrolled. Signed by President 50
Aug. 29 Presented to Governor 52
Aug. 30 Approved by Governor 53

LEGISLATIVE BILL 5 By Raecke

Aug. 22 Read first time 12
Aug. 22 Rule suspension, reference 13
Aug. 22 Referred to Committee on Appropriations 14
Aug. 22 Rule suspension, Committee hearing 14

Aug. 22 Notice of hearing 15
Aug. 24 Placed on General File 23
Aug. 24 Considered. Referred for review 26
Aug. 26 Placed on Select File 28
Aug. 27 Rule suspension. Referred for engrossment 30
Aug. 27 Correctly engrossed 32
Aug. 29 Rule suspension. Final reading 41, 47
Aug. 29 To record vote 48
Aug. 29 Correctly enrolled. Signed by President 50
Aug. 29 Presented to Governor 52
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